

T&E COMMITTEE #1  
March 30, 2006

## MEMORANDUM

March 29, 2006

TO: Transportation and Environment Committee

FROM: *KL* Keith Levchenko, Legislative Analyst

SUBJECT: **Resolution to Amend the Ten-Year Comprehensive Water Supply and Sewerage System Plan – Category Change Requests**

The Transportation and Environment (T&E) Committee will hold a worksession on March 30, 2006 regarding 8 water/sewer category change requests to the County's Comprehensive Water Supply and Sewerage System Plan. These requests were received from the County Executive on January 19 (transmittal memorandum attached on ©C-D) and introduced by the Council on February 7, 2006. A public hearing was held on March 14. A draft resolution is attached on ©A-B.

### List of Attachments

The following documents are attached for your information and review:

Draft Resolution	©A-B
County Executive's Transmittal Letter (dated July 24, 2002)	©C-D
Excerpts from CE Staff Report	©ii-57
Revised CE Staff Report	©58-63
Planning Board Letter to the Council	©67-69
Planning Board Staff Report	©70-73
Olney Master Plan (Planning Board Draft) Excerpt	©74-83
Selected Public Hearing Testimony/Correspondence	©84-108

### Category Change Process Overview

The County Executive has typically transmitted a package of Comprehensive Water Supply and Sewerage Systems Plan amendments to the County Council semi-annually (often in May and November). This package represents the second package from 2005. The next package is expected to be transmitted later this spring or early summer.

The County's Department of Environmental Protection (DEP) is the Executive's department responsible for assembling, reviewing, and transmitting these amendments to the Council. DEP staff coordinates with a number of other departments and agencies and include comments from Planning Board staff, WSSC, and Department of Permitting Services (DPS) staff in the Executive Staff Report.

The Planning Board discussed this amendment package on January 26, 2006 and concurred with the County Executive on six of the applications. The Planning Board recommended deferral in one case where the Executive recommended denial. Both the Planning Board transmittal to the Council and the Planning Board staff memorandum to the Planning Board are attached. Both M-NCPPC staff and the Planning Board recommendations are noted for each request.

### Category Change Request Review

For purposes of review, Council Staff has divided the requests into two broad categories:

- **Consent Items:** The County Executive, Planning Board Staff, the Planning Board, and Council Staff concur on the recommendation and Council Staff identifies no issues. NOTE: The concurrence may involve approval, denial, or deferral of the applicant's request. In general, approval or denial of these requests is consistent with applicable Master Plan and Water and Sewer Plan policies and Council Staff does not believe there are unique circumstances warranting additional review at this time. Deferrals are typically recommended in cases where additional information is needed or if other review processes that might affect the issue are recommended to conclude before final consideration of a specific request should occur.
- **Issues:** Council Staff has identified issues warranting further discussion.

#### Consent Items

Consent requests are presented on the following chart. Council Staff recommends the Committee concur with the County Executive's recommendations for each of these requests. Comments regarding some of these requests are included after the chart.

**Consent Requests**

#	Applicant	Number	County Executive Recommendations	Page #s	
				CE Staff Report	Maps
1	Natelli Communities (for Stephen Barmakian)	04A-LSN-01	WITHDRAWN BY APPLICANT	©1-2	©9-10
2	Steve Saffron (for Howard Wooten, Jr.)	05A-PAX-04	WITHDRAWN BY APPLICANT	©11	©14
5	Laurana Coleman Reed	05A-TRV-06	Approve S-3	©34-35	©40
6	Vincent Burnett	05A-TRV-07	Deny Category Change, Maintain S-6	©35	©40
7	Lakewood Estates Public Health Problem Area		Approve S-1 or S-3 for properties in the problem area	©41	©45-46

- Reed (05A-TRV-06) and Burnett (05A-TRV-07): Both of these cases involve interpretations of the Potomac Master Plan Peripheral Sewer Policy. However, unlike two cases in the previous category change package discussed by the Council last fall, the County Executive and the Planning Board agree on these two cases (approve Reed, but deny Burnett). Public Hearing testimony from the West Montgomery Citizens Association (©89-93) supports denial in both cases.
- Lakewood Estates Health Problem Area: (Quote from Planning Board letter to the Council) "The Planning Board supports the Executive recommendation but asks that all property owners be informed of the potential implications of extending sewer to the entire neighborhood as part of the notification process."

### Issues

The following chart presents requests where there are differences in recommendations between the County Executive, M-NCPPC Staff, the Planning Board, and/or Council Staff and/or there are issues Council Staff believe require review.

Issues								
#	Applicant	Number	County Executive	M-NCPPC Staff	Planning Board	Council Staff	Page #s	
							CE Staff Report	Maps
3	Winchester Homes (for Dennis Schraf, et al.)	04A-PVE-01	3/14/06 Revised Recommendation: Approve S-3 and W-3	Deny, until it is shown how service would be provided and what impact can be expected to the Broad run stream watershed	1/26/06 Recommendation: Defer pending resolution of issues between the Town of Poolesville and the Applicant	Concur with the CE.	©15	©20-21
4	Maryland Development Company (for Marija Avramovic)	05A-TRV-02	Approve S-1 (single hook-up only) for Parcel P600 to address a public health problem. Maintain S-6 for the other parcels.	Concur with the CE	Concur with the CE, but review issue of extension of sewer service to address public health hazards as part of the comprehensive Water and Sewer Plan update.	Concur with the CE	©22-23	©33
Private Institutional Facilities Cases (Current Package)								
#	Applicant	Number	County Executive	M-NCPPC Staff	Planning Board	Council Staff	Page #s	
							CE Staff Report	Maps
6	Parker Memorial Baptist Church	05A-OLN-02	Defer, pending more information on the proposal.	Defer, pending further study of imperviousness issues in the Batchellors Forest East tributary and a recommendation on an imperviousness cap for the site.	Defer, pending submission of a pre-preliminary plan consistent with the Olney Master Plan with imperviousness below 20% unless the Planning Board concludes a greater % is acceptable.	Approve, consistent with the PIF Policy and with the applicant agreeing to limit impervious area to the percentages assumed in the pre-preliminary plan.	©47-48	©56-57

### Discussion

#	Applicant	Number	County Executive	M-NCPPC Staff	Planning Board	Council Staff	Page #s	
							CE Staff Report	Maps
3	Winchester Homes (for Dennis Schraf, et al.)	04A-PVE-01	3/14/06 Revised Recommendation: Approve S-3 and W-3	Deny, until it is shown how service would be provided and what impact can be expected to the Broad run stream watershed	1/26/06 Recommendation: Defer pending resolution of issues between the Town of Poolesville and the Applicant	Concur with the CE	©15	©20-21

This 101.29 acre R-3/4 Zone (3/4 acre lot zoning) is located in the Town of Poolesville. The site is currently in agricultural uses. The applicant is seeking to build a 98-lot subdivision.

The applicant is requesting both water and sewer service from the town's water supply and sewerage systems.

The County Executive originally recommended denial of the request since the Town of Poolesville had not advised the County of a schedule as to when its water supply and wastewater systems would be capable of handling this and other new projects. Subsequent to this recommendation, the Town of Poolesville confirmed that the proposed project is part of the Town's development plans and that the Town is pursuing the improvements and approvals needed to implement this project.

Planning Board staff recommended denial until it is shown how service will be provided and what the environmental impacts with regard to the development of this site in the headwaters of Broad Run will be. The Planning Board recommended deferral pending resolution of these concerns. Environmental concerns and concerns regarding the management of growth in the Town of Poolesville were also raised in public hearing testimony (see ©96-98).

County Executive staff believe these concerns are best addressed in the development approval and review processes and that the County has a responsibility to incorporate the Town of Poolesville's water and sewer planning efforts into the County-wide plan. Correspondence from the Applicant's attorney is attached on ©101-107.

**Council Staff concurs with the revised recommendation of the County Executive to approve W-3 and S-3.**

#	Applicant	Number	County Executive	M NCPPC Staff	Planning Board	Council Staff	Page #s	
							CE Staff Report	Maps
4	Maryland Development Company (for Marija Avramovic)	05A-TRV-02	Approve S-1 (single hook up only) for Parcel P600 to address a public health problem. Maintain S-6 for the other parcels.	Concur with the CE	Concur with the CE, but review issue of extension of sewer service to address public health hazards as part of the comprehensive Water and Sewer Plan update.	Concur with the CE.	©22-23	©33

This 13.8 acre E-1 zoned property is located on Cleveland Drive at the intersection of Valley Drive in Potomac. There is currently a single-family house on one parcel and three vacant parcels. The applicant is seeking to build homes on the three vacant parcels. The applicant is requesting sewer service. Public water service is already provided. Correspondence from the from the applicant's attorney is attached on ©100 and 101.

The County Executive recommends approval of S-1 for a single-hookup only to the existing house (Parcel P600) to address a failed septic system. DPS confirmed the failure of the existing system in July 2005 and DEP subsequently directed WSSC to provide a single sewer connection. In public hearing testimony, the West Montgomery County Citizens Association and the Glen Hills Citizens Association (©89-95) raise concerns regarding the decision to move forward with the extension of sewer service to address the health hazard identified by DPS staff.

The Planning Board has noted that it would like to discuss this issue in the context of the comprehensive update of the Water and Sewer Plan this year.

With regard to the other parcels (P592, P561, and P802) the County Executive recommends denial of the request consistent with the Potomac Subregion Master Plan recommendations for this area. A sanitary survey of the Glen Hills area is recommended in the Master Plan and may affect future recommendations for service in this area. Both the Planning Board Staff and the Planning Board concur with the County Executive to deny the request. **Council Staff concurs with the County Executive and the Planning Board and recommends maintaining S-6 for the three parcels.**

#	Applicant	Number	County Executive	M-NCPPC Staff	Planning Board	Council Staff	Page #s	
							CE Staff Report	Maps
8	Parker Memorial Baptist Church	05A-OLN-02	Defer, pending more information on the proposal.	Defer, pending further study of imperviousness issues in the Batchellors Forest East tributary and a recommendation on an imperviousness cap for the site.	Defer, pending submission of a pre-preliminary plan consistent with the Olney Master Plan with imperviousness below 20% unless the Planning Board concludes a greater % is acceptable	Approve, consistent with the PIF Policy and with the applicant agreeing to limit impervious area to the percentages assumed in the pre-preliminary plan.	©47-48	©56-57

This 8.39 acre RC zoned property is located on Norbeck Road just west of Layhill Road. The applicant is seeking both public water and sewer service in order to build a house of worship. The property currently consists of a single-family home and two vacant parcels.

The County Executive recommended deferral pending receipt of a development plan from the applicant showing impervious surfaces. This information was later provided and is attached on ©58-59. According to County Executive staff, the request is consistent with the PIF policy.

At the March 14 public hearing, Senior Pastor Guy Williams of Parker Memorial Baptist Church noted that the imperviousness of the initial build-out of the site would be 27.8 percent and could increase to 29.8% with a future build-out in a 15 20 year timeframe.

Planning Board staff recommended deferral pending further study of imperviousness in the context of the Batchellors Forest East tributary and the development of a resulting imperviousness cap for the site.

The Planning Board concurred with the deferral and asked that a pre-preliminary plan be submitted that is consistent with the master plan and keeps imperviousness below 20% unless the Planning Board concludes that a greater number is acceptable. The Planning Board recently received this information (attached on ©58-59). The impervious area assumed in this plan is consistent with the percentages noted by Pastor Williams at the Council's public hearing. The Planning Board has not had an opportunity to bring the project back for discussion and has told the applicant that the re-review would probably not occur until Mid-May.

Neither the Olney Master Plan nor the Water and Sewer Plan have in place imperviousness caps for properties in this area of the County or in the RC zone. In fact, the Master Plan language for the Batchellors forest tributary area specifically notes that an 8% imperviousness cap would not significantly reduce the potential imperviousness in this subwatershed nor likely affect the overall stream conditions (see ©79). The Master Plan does recommend that new developments use environmentally sensitive techniques to minimize imperviousness and the effects of imperviousness (see ©76-77).

From a broader perspective, the T&E and PHED Committees discussed the possibility of imposing impervious area caps in large lot zones through a zoning text amendment recommended by the Planning Board. However, the committees rejected a zoning-wide approach. There was some interest in a more surgical approach that would take into account more specific environmental conditions.

In some past PIF cases, the Council has worked with applicants (the Lutheran Church of St. Andrew and the People's Community Baptist Church for example) to agree to voluntary caps of 25% imperviousness. Given that the Parker Memorial Baptist Church request (at least as presented by Mr. Williams) would be in the 27 to 30% range, and that overall build-out potential of the subwatershed is fairly low, Council Staff does not see an obvious environmental argument for assigning a particular impervious area cap to this request. However, in order to ensure some predictability regarding the impervious area for the property, Council Staff suggests that, as with the institutions noted above, if the request is approved, the applicant agree to an impervious area percentage assumed in the current plans and that this information be noted in the approval language for this item.

Council Staff is skeptical regarding the justification for the Planning Board's argument for a 20 percent impervious area cap in this case. The Planning Board has left open the possibility of supporting a higher level of imperviousness. Given that the applicant's request is close to impervious area levels agreed upon in other PIF cases, and that this particular subwatershed does not appear to be at risk of substantial increases in cumulative impervious area, Council Staff does not see a valid reason to defer the request.

**Council Staff recommends approval of the request, consistent with the PIF policy, and with language added in the approval resolution documenting the applicant's agreement to stay within the impervious area assumed in the pre-preliminary plan.**

#### Attachments

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Resolution No.

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: County Council

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Subject: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

1. Section 9-501 et seq. of the Environmental Article of the Maryland Code, requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 90 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 90 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by the MDE or the period for final MDE action has expired.
3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
4. The County Council has from time to time amended the Plan.
5. On, January 19, 2006, the County Council received recommendations from the County Executive regarding 8 water and sewer category change applications.
6. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.
7. A public hearing was held on March 14, 2006.

(A)

8. The Transportation and Environment Committee discussed these amendments on March 30, 2006 and made recommendations to the Council.

Action

The County Council for Montgomery County, Maryland approves the following amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council



ENV & ENERGY



KL  
CC  
SBF  
LL

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan  
County Executive

MEMORANDUM

019460

January 13, 2006

TO: George L. Leventhal  
Montgomery County Council

FROM: Douglas M. Duncan  
County Executive

ENCL IN FILE

2006 JAN 19 PM 2:09

FROM: MONTGOMERY COUNTY  
TO: COUNTY EXECUTIVE

SUBJECT: Transmittal of and Recommendations on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan

Pursuant to the requirements of the Environmental Article, Sections 9-503 through 9-506 and 9-515 through 9-516, of the Annotated Code of Maryland, I am transmitting my recommendations for proposed amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan. Recommendations addressing eight plan amendments are included in the attached staff report. These eight amendments encompass six new and one deferred category change requests and a proposed health problem area designation. The report includes the following materials for each amendment request:

- An Executive staff report, including the recommendation summary table
- The amendment application and supporting documents
- GIS-based maps illustrating the amendment

The recommendations for each amendment are consistent with the adopted policies and guidelines included in the Water and Sewer Plan and the appropriate master plans or sector plans. Therefore, they generally have little or no controversy with regard to interagency comments and recommendations. However, the following issues will likely generate discussion at upcoming committee and Council worksessions:

**Lakewood Estates Health Problem Area Amendment**

The Department of Environmental Protection (DEP) has investigated a portion of the Lakewood Estates neighborhood, located west of Rockville, as a potential public health problem area. DEP initiated a sanitary survey with the Department of Permitting Services in the spring of 2004 based on known septic system failures and inquires from neighborhood residents.

(C)

George L. Leventhal  
January 13, 2006  
Page 2

The results of the survey show a sufficient public health concern to warrant designating the survey area as a public health problem area in the Water and Sewer Plan. This designation will afford the residents a priority for sewer connections and main construction with the Washington Suburban Sanitary Commission, in addition to improving our understanding of the distribution and characteristics of health problem areas. DEP will follow this amendment with a general category change map amendment through the administrative delegation procedure to allow access to public sewer service for all of the properties in the survey area.

#### **Private Institutional Facility (PIF) Policy-Related Amendment**

The Council recently decided to modify the public service exceptions allowed under the Water and Sewer Plan's policy addressing non-profit, or "private institutional facilities" (PIFs). Under CR 15-1234 (November 29, 2005), the Council removed the policy's application in the cases involving sites located within the Rural Density Transfer (RDT) Zone. This packet contains one new amendment for a PIF case, WSCCR 05A-OLN-02, for the Parker Memorial Church. The proposed site for the church is zoned Rural Cluster (RC), and is therefore not affected by the recent changes to the PIF policy. The deferral recommendation for this amendment reflects the lack of the applicant's development plan for the project site, rather than a need to address aspects of the PIF policy itself, which has been a key issue for past recommendations.

DEP staff will be available to discuss the amendments included in this transmittal at the Transportation and Environment Committee and full Council worksessions.

DMD:as

Attachment

cc: Derek Berlage, Chairman, Montgomery County Planning Board  
Andrew Brunhart, General Manager, Washington Suburban Sanitary Commission  
Paul E. Kuhlman, II, President, Commissioners of Poolesville  
Robert Hubbard, Director, Department of Permitting Services  
James Caldwell, Director, Department of Environmental Protection  
Catherine Matthews, Director, Upcounty Regional Services Center  
Robert Summers, Director, Water Management Administration, Maryland  
Department of the Environment  
Audrey Scott, Secretary, Maryland Department of Planning

(D)

Excerpts



## **Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan**

### **County Executive's Amendment Transmittal to the County Council – January 2006**

#### **8 PROPOSED WATER AND SEWER MAP AMENDMENTS**

- 6 Current Category Change Requests
- 1 Deferred Current Category Change Request
- 1 Public Health Problem Area Request

Prepared by  
The Department of Environmental Protection

James A. Caldwell, Director  
David Lake, Manager, Water and Wastewater Policy Group  
Alan Soukup, Senior Planner, Water and Wastewater Policy Group

We acknowledge and appreciate the assistance of the following  
agencies in the preparation of this amendment packet:

Washington Suburban Sanitary Commission  
Maryland – National Capital Park and Planning Commission  
Montgomery County Department of Permitting Services  
Town of Poolesville

PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
COUNTY EXECUTIVE'S TRANSMITTAL PACKET - JANUARY 2006

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**LOWER SENECA BASIN PLANNING AREA**

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**PATUXENT RIVER WATERSHED CONSERVATION PLANNING AREA**

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WSSCR 05A-PAX-04: Steve Saffron (for Howard Wootten, Jr.) .....	circle pg. 12
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**Glen Hills Neighborhood Cases**

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**Greenbriar Branch Watershed Cases**

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**Lakewood Estates Health Problem Area**

Executive Staff Report and Summary Table .....	circle pgs. 41-44
Site Mapping.....	circle pgs. 45-46

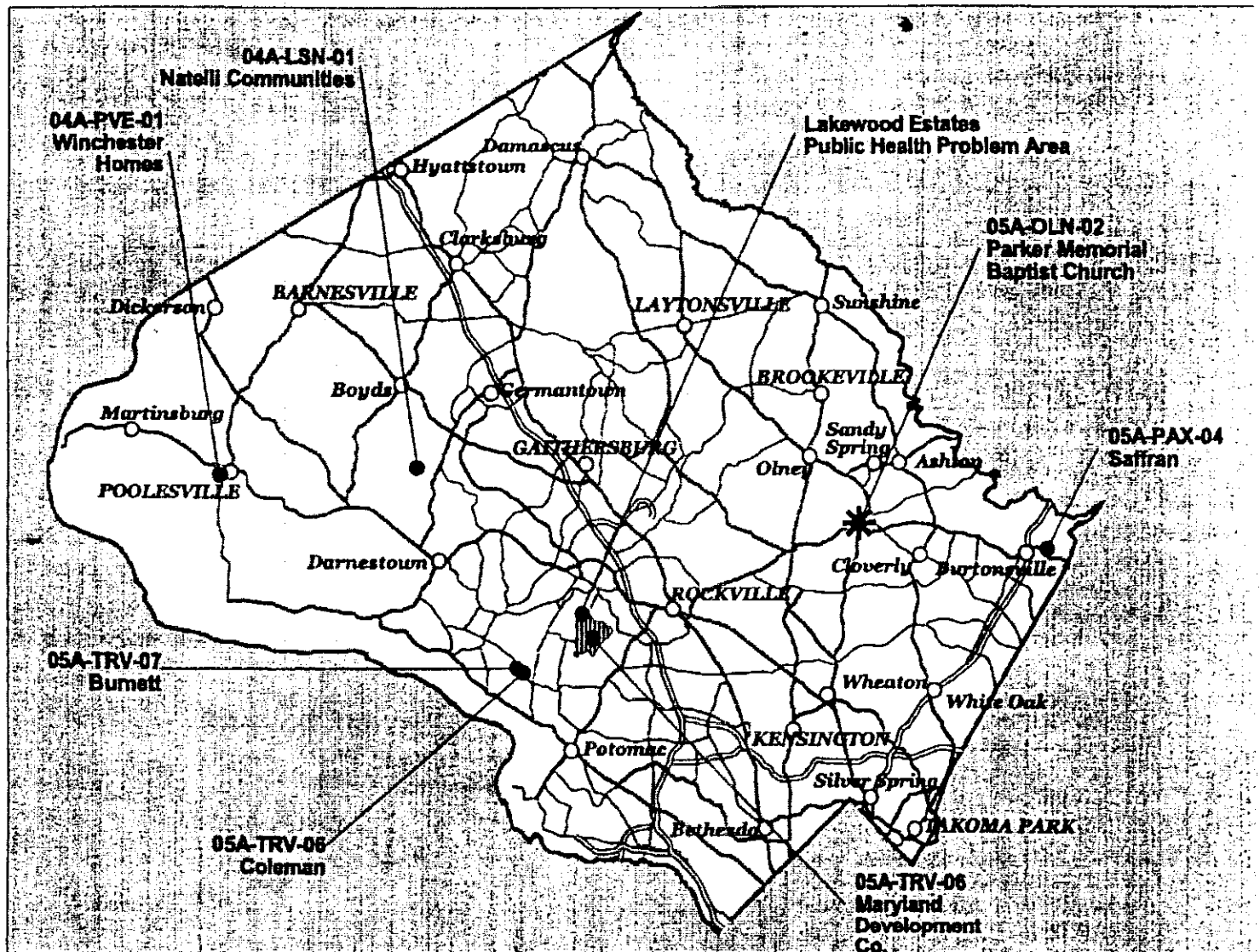
**PRIVATE INSTITUTIONAL FACILITY (PIF) CASES**

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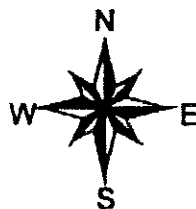
# Water/Sewer Map Amendment Locator County Executive's Transmittal -- January 2006



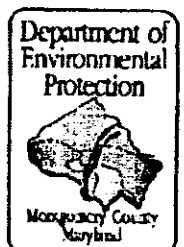
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## MAP LEGEND

- Proposed Map Amendments
- \* Proposed PIF Map Amendments
- Localities
- County Roads
- State Roads
- US & Interstate Highways
- ▨ Glen Hills Neighborhoods



Montgomery County, Maryland  
2003 - 2012  
Comprehensive Water Supply  
and Sewerage Systems Plan



Watershed Management Division  
12/14/05 -- GIS Project File:  
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**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
COUNTY EXECUTIVE'S TRANSMITTAL PACKET - JANUARY 2006**

<b>SUMMARY OF COUNTY EXECUTIVE'S RECOMMENDATIONS</b>				
<b>Water and Sewer Plan Amendment</b>	<b>Applicant (Owner)</b>	<b>Zoning Acreage</b>	<b>Applicant's Request</b>	<b>Summary of Executive Recommendations</b>
<b>WSCCR 04A-LSN-01</b>	Natelli Communities (for Stephen Barmakian)	R-200 20.9 ac.	W-3 & S-3	Deny the request.
<b>WSCCR 05A-PAX-04</b>	Steve Saffron (for Howard Wooten, Jr.)	RC 8.8 ac.	W-1	Conditional approval for W-3, requiring cluster plan approval.
<b>WSCCR 04A-PVE-01</b>	Winchester Homes (for Dennis Schraf, et al.)	R-3/4 101.3 ac.	W-3 & S-3	Deny the request. (Town of Poolesville)
<b>WSCCR 05A-TRV-02</b>	Maryland Development Co. (for Marija Avramovic)	RE-1 13.8 ac.	S-3	Approve S-1 for property with documented health problem. Deny the request for the remaining 3 properties.
<b>WSCCR 05A-TRV-06</b>	Laurana Coleman Reed	RE-2 5.0 ac.	S-3	Approve S-3 (Potomac peripheral sewer service policy).
<b>WSCCR 05A-TRV-07</b>	Vincent Burnett	RE-2 10.3 ac.	S-3	Deny the request.
<b>Lakewood Estates Health Problem Area</b>	Initiated by the Mont. Co. Dept. of Environmental Protection	R-200 & RE-1 19.6 ac.	Designate the health problem area	Designate the public health problem area. DEP to follow up with a general category change map amendment.
<b>WSCCR 05A-OLN-02</b>	Parker Memorial Baptist Church (for R. Jones Estate)	RC 8.4 ac.	W-3 & S-3	Defer action on the request; site proposal needed (private institutional facility policy).

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# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

LOWER SENECA CREEK WATERSHED PLANNING AREA		
Amendment No./Applicant (Owner) Property Location & Information Proposed/Existing Development	Applicant's Request/Explanation Service Area Categories: Existing Requested	Reviewing Agency Comments (WSSC Main extensions are non-CIP sized unless specified.)
<b>WSSCR 04A-LSN-01</b> <b>Toll Brothers, Inc. (for Stephen Barmakian)</b> <ul style="list-style-type: none"> <li>Parcel P592, Friend in Need</li> <li>Tax maps EW121/122; WSSC grids 232/233NW14</li> <li>Southwest corner, intersection of Schaeffer Rd. and Burdette Rd., opposite South German-town Recreational Park/ Soccerplex</li> <li>Preservation of Agriculture and Rural Open Space Master Plan (1980)</li> <li>Lower Great Seneca Creek Watershed (MDE Use I)</li> <li>R-200 Zone: 20.91 acres</li> <li>Existing use: agricultural</li> <li>Proposed use: 41-lot single-family subdivision</li> </ul> <p>*Note: Natelli Communities has replaced Toll Brothers, Inc. as the applicant.</p> <p><i>The Council deferred action on this request under CR 15-851 (12/14/04).</i></p>	<p>W-6                      W-3 S-6                      S-3</p> <p><u>Applicant's Explanation:</u>  <b>"■ Problems with existing, private on-site sanitary systems. (A number of drainfields along Schaeffer Road are failing because of a shallow bedrock situation.)</b>  <b>"■ Suitability of the site for private, on-site sanitary systems.</b>  <b>"■ Adjacent or nearby properties with existing public water and/or sewer service (King's Crossing/ Adjacent to Soccerplex)."</b></p>	<p><u>Planning Staff (original comments):</u> Service is inconsistent with master plan recommendations. Although zoned R-200, the subject property is still outside the Water and Sewer Plan's service envelope, an area not planned for public service at this time or at the time of the master plan in 1980. The extension of public water and sewer here would be contrary to the intentions of the master to control the timing of development in the master plan study area. **</p> <p><u>Planning Board (original comments):</u> Concur with the M-NCPPC staff position. Deny the request. **On Apr. 28, 2005, the Board considered the issues identified in CR 15-851: the master plan intent for the property and the general condition of septic systems in the area. The Board found that the master plan did not intend that this property be served by public water or sewer systems. DPS had reported to M-NCPPC no particular difficulties with the nearby existing septic systems. **</p>
	<p><u>WSSC-Water:</u> Service will require a 1000' water extension, connecting to the existing 12"-dia. main in Schaeffer Road (#992610B); the extension would abut three additional properties.</p> <p><u>WSSC-Sewer:</u> Sewer service might be provided by a wastewater pumping station and a minimum of 2000 feet of force main, connecting to the 8"-dia. sewer in Bromfield Road (#951241F) and possibly traversing a portion of Southwest Germantown Regional Park, requiring rights-of-way. The four properties which would abut the force main would be unable to connect to the pressurized line. Design specifications for low-flow wastewater pumping stations, now in the process of being drafted, must be adopted by WSSC before service can be provided.</p> <p><u>DPS-Well &amp; Septic:</u> This area is prone to shallow fractured rock which is not a suitable condition for septic systems. The lot yield using septic systems would be much less than the zoning allows.</p>	

**County Executive's Recommendation:** Deny the water/sewer category change request; maintain W-6 and S-6.

*Note: The applicant needs to address the intent to develop this site with public water and sewer service by working through either the pending Germantown Master Plan update process or a future update (if any) to the Preservation of Agriculture and Rural Open Space Master Plan. Although this cannot guarantee a successful result for the applicant, addressing the land use planning aspects of this proposal is the appropriate avenue to pursue at this time.*

**Executive Staff Report:** The applicant has requested category changes to allow for public water and sewer service for a proposed 41-lot residential subdivision. The County Executive and the Planning Board recommended denial of the request when it was submitted with the in October 2004 amendment packet. The Council considered and deferred action on this request under CR 15-851 (Dec. 14, 2004), taking the following position:

"Defer, pending further review of the Master Plan intent for this property and the condition of septic systems in the area."

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet - January 2006: Map Amendment Summary Information Table

### LOWER SENECA CREEK WATERSHED PLANNING AREA

On Apr. 28, 2005, the Board considered the following issues related to the Council's deferral of the amendment under CR 15-851: \*\*

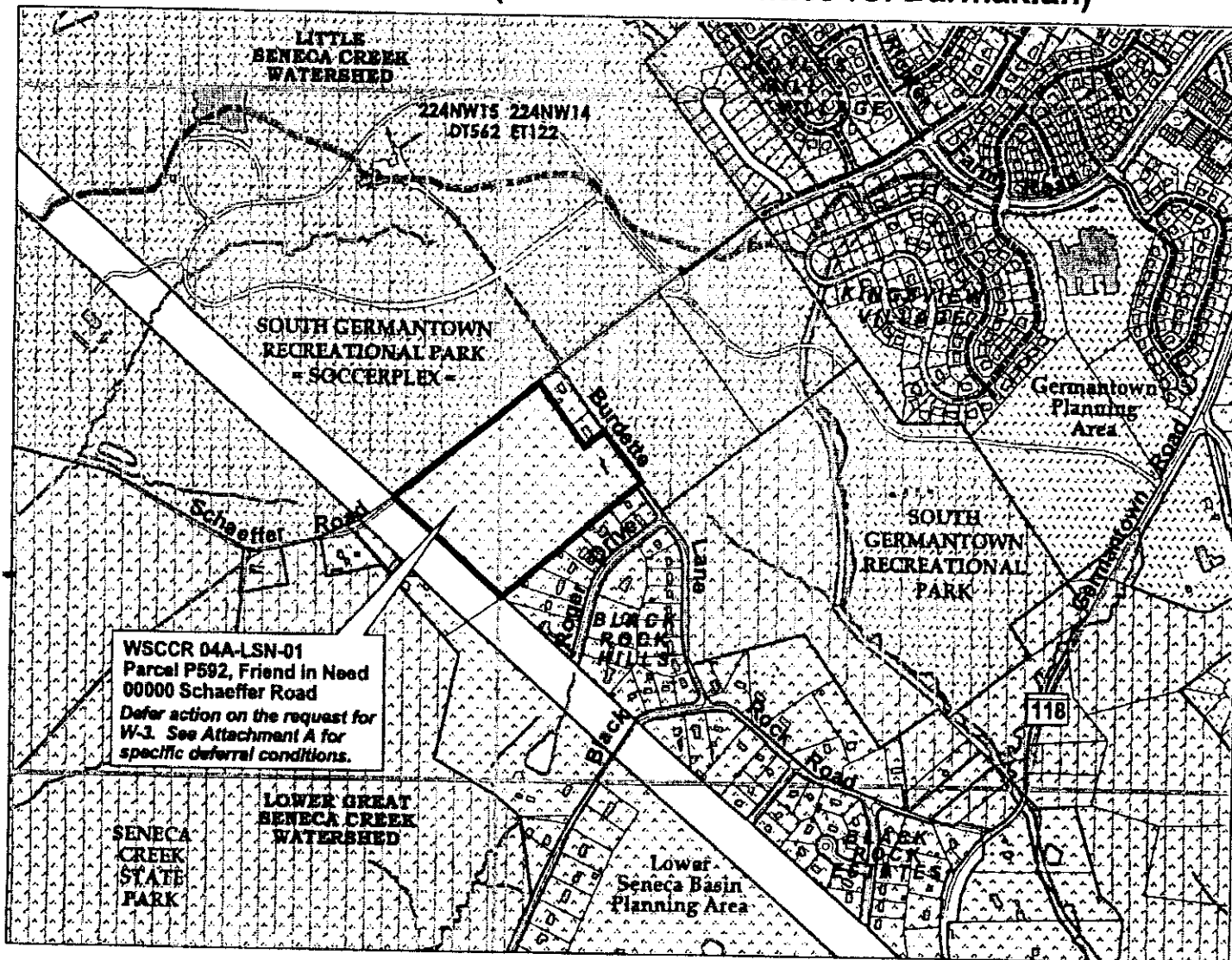
- Is this site in the Agriculture and Rural Area Master Plan? Should this site be located within Germantown Master Plan area due to changes in the neighborhood?
- Why was this property zoned R-200 if there was no intention to provide community sewer service to the site?
- Are there septic failures in the surrounding neighborhood? Do they need a community sewer solution?

In summary, the Board found that the Barmakian property is properly located within the Preservation of Agriculture and Rural Open Space Master Plan, as it is located outside of the "greenbelt" of parkland and open space that surrounds the Germantown Master Plan area. The expansion of facilities at the nearby South Germantown Recreational Park, the primary change in the immediate neighborhood, does not support a change in the status of this property. Such a change needs to be addressed in the context of a master plan amendment that would take the larger neighborhood into consideration. The zoning of a rural community as R-200, but without the expectation of public water or sewer service, is not unique to the Brownstown area. Although the lot patterns in these communities often reflects times of less stringent well and septic regulations, this zoning does not intend that unimproved properties should automatically receive public water and/or sewer service. The existing Brownstown community does not have a history of irreplaceable septic system failures. Although the general age of these septic systems indicates that they will eventually need to be replaced, there is no indication at this time that those replacements will require relief by public sewerage systems. This is consistent with a similar finding made by the Well and Septic Office in 1997, when the County considered whether a regional wastewater pumping system would be required in this area of Germantown.

*\*\*See the Planning Board's findings, dated June 10, 2005, at circle pgs. 6-8.*



# Water Service Area Categories Map WSSCR 04A-LSN-01 (Natelli Communities\*/S. Barmakian)



1000 0 1000 2000 3000 4000 Feet

## MAP LEGEND

- Properties (3/02)
- WSSC/GIS Tile Grid

### Water Mains

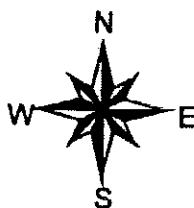
- 8"- or Smaller-Dia. Mains
- 10" to 15"-Dia. Mains
- 16"- to 24"-Dia. (CIP) Mains \*
- 30"- to 42"-Dia. (CIP) Mains \*
- 48"- or Larger-Dia. (CIP) Mains \*
- \* No Individual Connections

M-NCPPC Planning Areas

- Parks & Public Land
- Buildings
- Roads - Parking Areas
- Watersheds
- Streams
- Ponds - Lakes

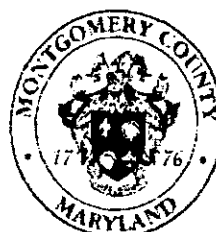
### Water Service Area Categories

- W-1
- W-3
- W-4
- W-5
- W-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan

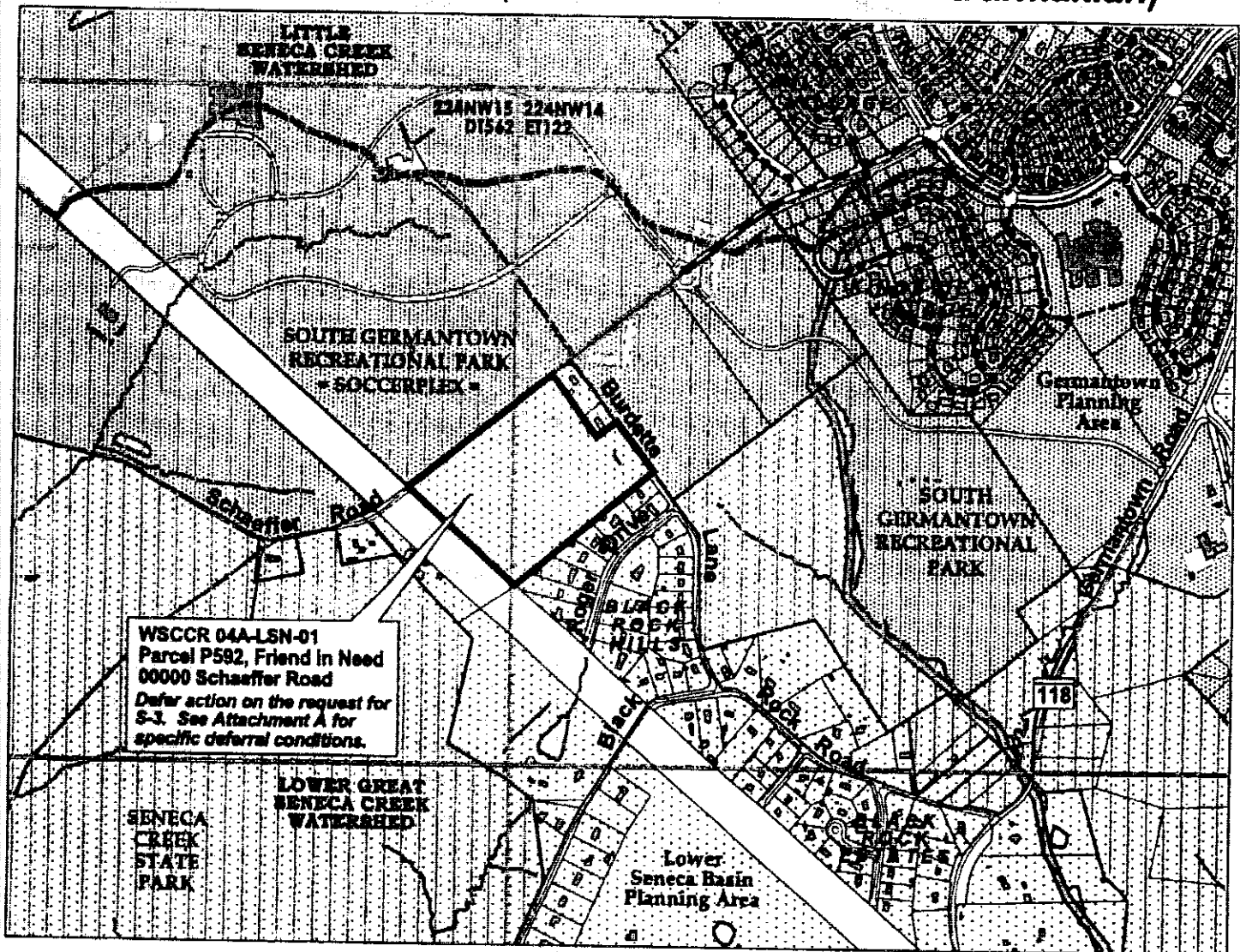


Watershed Management Division  
12/20/04 – GIS Project File:  
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\* Original applicant: Toll Brothers, Inc.

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# Sewer Service Area Categories Map WSSCR 04A-LSN-01 (Natelli Communities\*/S. Barmakian)



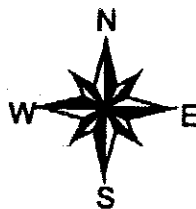
## MAP LEGEND

- Properties (3/02)
- WSSC/GIS Tile Grid
- Sewer Manholes
- Sewer Mains
  - Small-Diameter, Low-Pressure Mains
  - 6" to 8"-Diameter Gravity Mains
  - 10" to 14"-Diameter Gravity Mains
  - 15" to 18"-Diameter (CIP) Trunk Mains
  - 20" to 42"-Dia. (CIP) Mains \*
  - 48" or Larger-Diameter (CIP) Trunk Mains \*
- \* No Individual Connections
- Sewer Force Main

- M-NCPPC Planning Areas
- Parks & Public Lands
- Buildings
- Roads - Parking Areas
- Watersheds
- Streams
- Ponds - Lakes

## Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



\* Original applicant: Toll Brothers, Inc.

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Watershed Management Division  
12/22/04 – GIS Project File:  
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# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

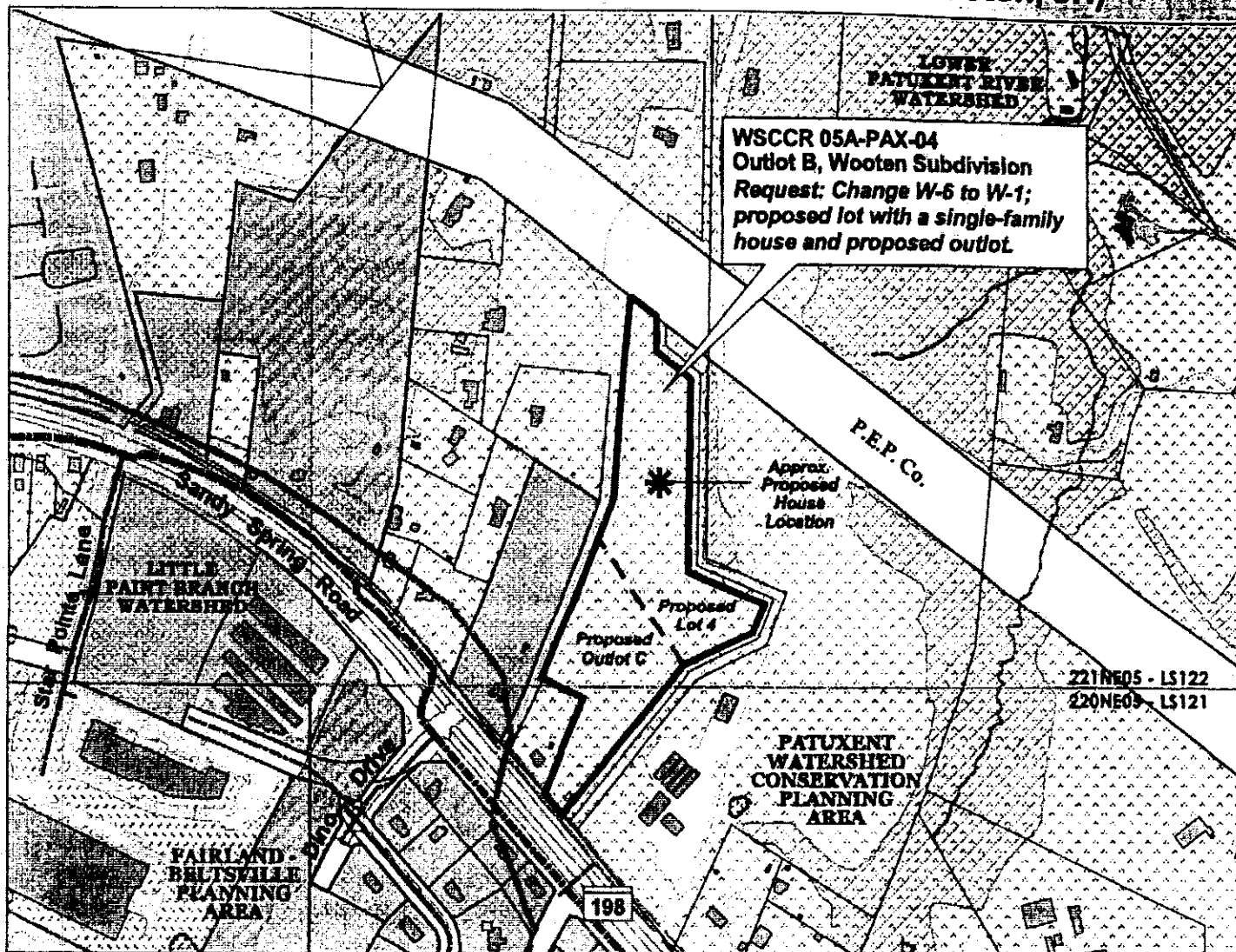
PATUXENT RIVER WATERSHED CONSERVATION PLANNING AREA		
Amendment No./Applicant (Owner) Property Location & Information Proposed/Existing Development	Applicant's Request/Explanation Service Area Categories: Existing Requested	Reviewing Agency Comments (Main extensions are non-CIP sized unless specified )
<b>WSSCR 05A-PAX-04</b> <b>Steve Saffron (for Howard Wootten, Jr.)</b> <ul style="list-style-type: none"> <li>• Outlot B (N909), Wootten Subdivision</li> <li>• Map tile: LS122; 221NE05</li> <li>• North side of Sandy Spring Rd. (MD 198) east of Dino Dr.</li> <li>• Fairland Master Plan (1997)</li> <li>• Lower Patuxent River Watershed (MDE Use I)</li> <li>• RC Zone; 8.61 ac.</li> <li>• Existing use: farmland (not improved)</li> <li>• Proposed use: one 5-acre lot for a single-family house and a residual outlot</li> </ul>	W-6 <b>W-1</b> S-6                      No Change  Applicant's Explanation: "To serve one (1) single family home. WHC abuts. Nearby water line in Sandy Spring Road (MD Rte 198). Existing service connection shown on WSSC contract document 80BR4608A (copy attached.)"	<p><u>M-NCPPC Staff:</u> The property is within the master plan's public water service area; water service would be consistent with the master plan. No sewer service. Recommend W-1.</p> <p><u>WSSC-Water:</u> Plans for the 20-inch water main on the opposite side of MD 198 (#804608A) show a 1-inch water connection built under the road to serve this property. However, experience shows that this existing connection may be difficult to locate now.</p> <p>If so, then service could be provided by a 200-foot extension from an existing 8-inch main on the north side of MD 198 at Woottens Dr. (also #804608A). The extension would abut three additional properties (This does not include the properties on the south side of MD 198 which already have access to the 20-inch main.) WSSC prefers this alternative to a new connection from the 20-inch main under the road, which would be costly due to the need to tunnel under the State road.</p> <p><u>DPS-Well &amp; Septic:</u> Percolation tests for a septic system have been approved. With regard to well water supply, although individual properties can vary, adjacent homes have moderate to high yielding water wells.</p>

**County Executive Recommendation:** Maintain W-6, with advancement to W-3 conditioned on the Planning Board's approval of a preliminary plan using the RC Zone cluster option.

**Executive Staff Report:** The applicant has requested the provision of public water service to support the development of an existing outlot in the Wootten Subdivision near Burtonsville. The applicant's proposal calls for the creation of a single residential lot and a residual outlot, which may continue as an agricultural use. Water service policies in the Water and Sewer Plan allow for public water service in the RC Zone, provided that the cluster development option, where applicable, is used. M-NCPPC Development Review staff have indicated that the existing outlot can develop using a one-lot cluster plan; this will require the dedication of 60 percent open space as part of the development plan. The provision of public water service under these circumstances is consistent with the 1997 Fairland Master Plan.

WSSC reports that a 1-inch water service connection to serve this property was previously constructed under Sandy Spring Rd., although with the passage of time, this connection may be difficult to locate. If needed, service alternatively could be provided by a 200-foot main extension along Sandy Spring Rd. from an existing 8-inch main already located on the north side of the road near Woottens Drive. The required extension would abut three additional properties on the north side of the road. Two of these are minimal street frontage for flag lots that extend to north of the PEPCO transmission lines. Water service for these two properties from the abutting extension may not be feasible.

# Water Service Area Categories Map WSSCR 05A-PAX-04 (Steve Saffran / Howard Wooten, Jr.)

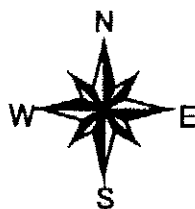


## MAP LEGEND

- Property (Sept. 2004)
- WSSC/GIS Tile Grid
- Water Mains**
  - 8"- or Smaller-Dia. Mains
  - 10" to 15"-Dia. Mains
  - 16"- to 24"-Dia. (CIP) Mains
  - 30"- to 42"-Dia. (CIP) Mains \*
  - 48"- or Larger-Dia. (CIP) Mains \*
  - \* No Individual Connections
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands
- M-NCPPC Planning Areas

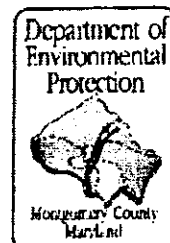
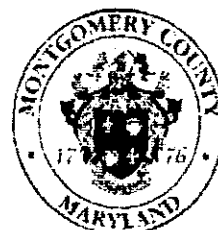
## Water Service Area Categories

- W-1
- W-3
- W-4
- W-5
- W-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
7/29/05 - GIS Project File:  
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# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

**Town of Poolesville – Background:** Requests to change water and sewer service area categories within the county's municipalities, including those such as Poolesville that maintain their own planning and zoning authority, are included in the county-wide Water and Sewer Plan. State law directs the County to incorporate the water and sewer planning accomplished by the municipalities into the County Plan. In this regard, DEP's evaluation of category change requests filed for properties within the town must rely substantially on planning and utility recommendations provided by the Town government.

TOWN OF POOLESVILLE – POOLESVILLE PLANNING AREA		
Map Amendment No. Applicant (Owner) Site Information & Development	Applicant's Request/Explanation: Service Area Categories Existing      Requested	Reviewing Agency Comments (WSSC main extensions are non-CIP sized unless specified.)
<b>WSSCR 04A-PVE-01</b> <b>Winchester Homes (for Dennis Schraf, et al.)</b> <ul style="list-style-type: none"> <li>Whites Ferry Rd. – Parcel P780, Mount Pleasant</li> <li>Map tile: 224NW20; CT122</li> <li>West side of West Willard Rd., between Whites Ferry Rd. (MD 108) and Westerly Rd.</li> <li>Town of Poolesville Master Plan (2005)</li> <li>Broad Run Watershed (MDE Use I)</li> <li>R-3/4* Zone; 101.29 ac.</li> <li>Existing use: agricultural</li> <li>Proposed use: 98-lot single-family residential subdivision</li> </ul> <ul style="list-style-type: none"> <li>Poolesville zoning: residential for ¾-acre lots</li> </ul>	<p>W-6      W-3 S-6      S-3</p> <p><u>Applicant's Explanation:</u> "Applicant seeks category change request for the future subdivision of the property into single family residential dwelling unit lots."</p> <p>sewerage system issues which will allow for the future development proposed by the 2005 master plan. However, at this time, the Town informed DEP that it cannot reasonably project a schedule for the resolution of these issues. (See below for specific discussions.) <u>Water:</u> Adequate public water supplies for projected growth are pending the addition of several new municipal well sites. While the Town has identified and is actively pursuing new well sites, it does not have a timetable set for the expansion of the public water system to support this and other planned projects.</p> <p><u>Sewer:</u> The Town has completed the expansion and upgrade of the Poolesville Wastewater Treatment Plant (WWTP). These improvements and ongoing inflow and infiltration (I&amp;I) control efforts are expected to allow the Town's transmission and treatment systems to satisfy the master plan's projected growth. The Town informed DEP that due to ongoing litigation, the Maryland Dept. of the Environment has not issued a new Wastewater Discharge Permit for the expanded plant. When the permit is issued, it will allow the WWTP to increase discharges from 625,000 to 725,000 gallons per day.</p> <p><u>M-NCPPC:</u> Since this is within the corporate limits of Poolesville, it is not controlled by a county master plan, however, the configuration of new sewer lines must be examined to assure that adjacent properties in the County's RDT zone are not affected. In addition, this property is in the headwaters of Broad Run, a watershed designated for protection under the County's Legacy Open Space Functional Master Plan. All new sewer lines should be placed to avoid the stream buffer and adjacent contiguous forest. W-3 and S-3 are recommended, but conditioned on avoidance of the stream buffers and contiguous forest.</p>	<p>Town of Poolesville (summarized from Nov. 14, 2005, letter-circle pgs. 18-19):</p> <p><u>Master Plan:</u> The project is consistent with growth and development staging proposed in the Town's 2005 master plan update, which calls for the population to expand from 5,167 to a maximum of 6,500 supported by approximately 420 new homes. The Town is working to resolve public water and</p>

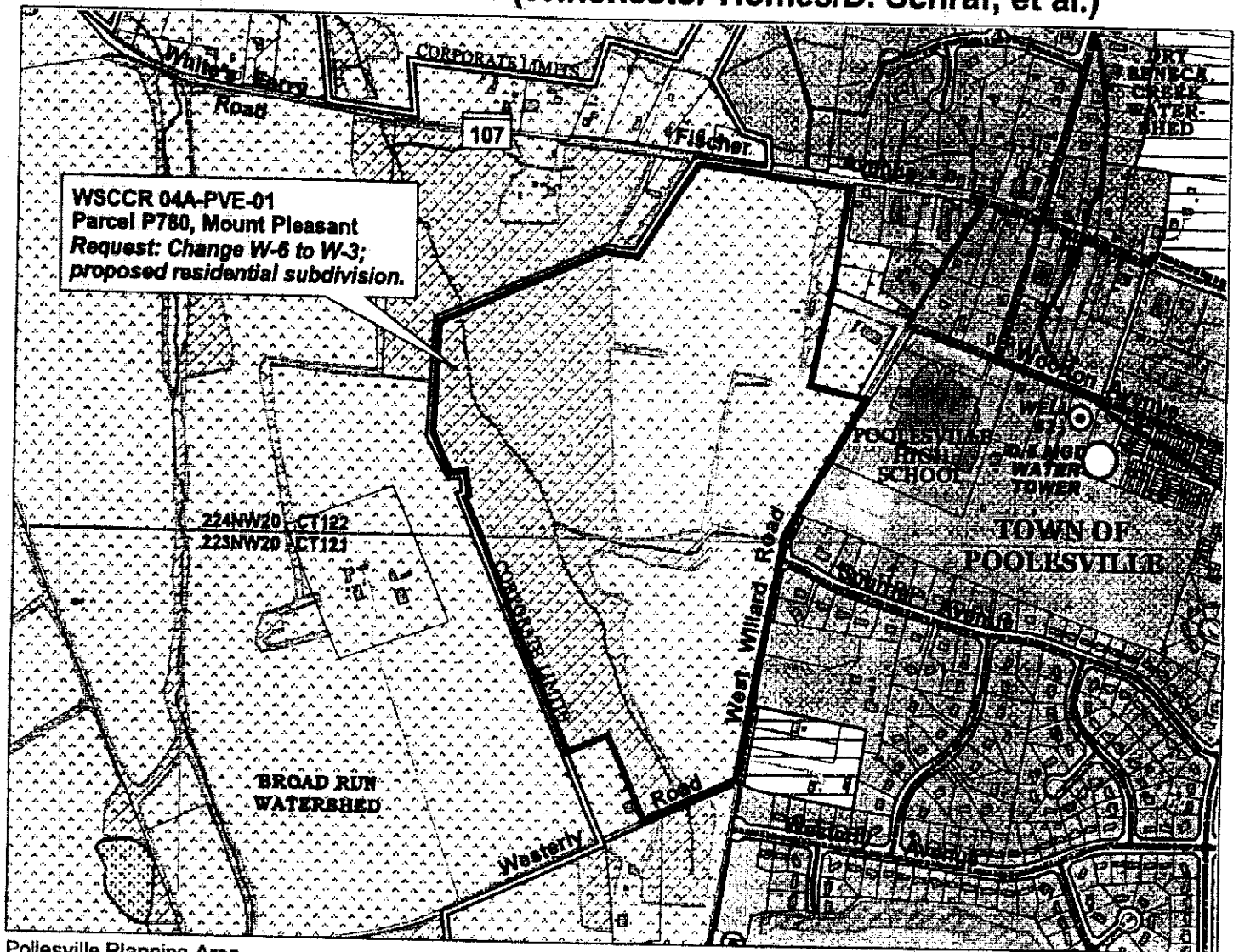
**County Executive Recommendation:** Deny the water and sewer request; maintain W-6 and S-6.

**Executive Staff Report:** The applicant is seeking water and sewer category changes to allow for the provision of public water and sewer service to a proposed 98-lot residential subdivision in the Town of Poolesville. The site is zoned for moderate-density residential development, as is recommended in the Town's 2005 master plan update. The Town has informed DEP that its public water supply and sewerage systems are not yet ready to support the development growth recommended by the new master plan. New well water sources are anticipated but not yet programmed by the Town. Litigation concerning the expansion of the wastewater treatment plant has slowed the progress on needed additional treatment capacity.

The Town of Poolesville has not advised the County the County of a schedule as to when its water supply and wastewater systems will be capable of handling this and other new projects. This request should not move forward until the Town is able to commit to development and infrastructure schedules to which the County can apply its service area category structure. Once this is achieved, the County will accept an application for a new category change request for this project. In addition, the County encourages the Town to work with DEP to develop a general category map amendment based on the Town's new master plan.



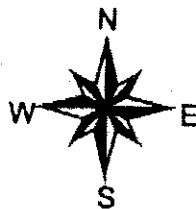
# Water Service Area Categories Map WSSCR 04A-PVE-01 (Winchester Homes/D. Schraf, et al.)



## MAP LEGEND

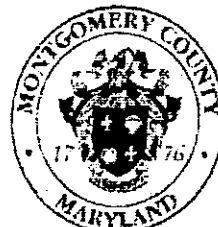
- Property
- WSSC/GIS Tile Grid
- Poolersville Water Supply Systems
  - 2" - 5" Dia. Mains
  - 6" - 8" Dia. Mains
  - 9" - 12" Dia. Mains
  - 13" - 16" Dia. Mains
- Municipal Wells
- Water Storage Tanks
- Poolersville Corporate Limits
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands

- Water Service Area Categories**
- W-1
  - W-3
  - W-4
  - W-5
  - W-6



June 2003 Update  
Service Area Categories Map

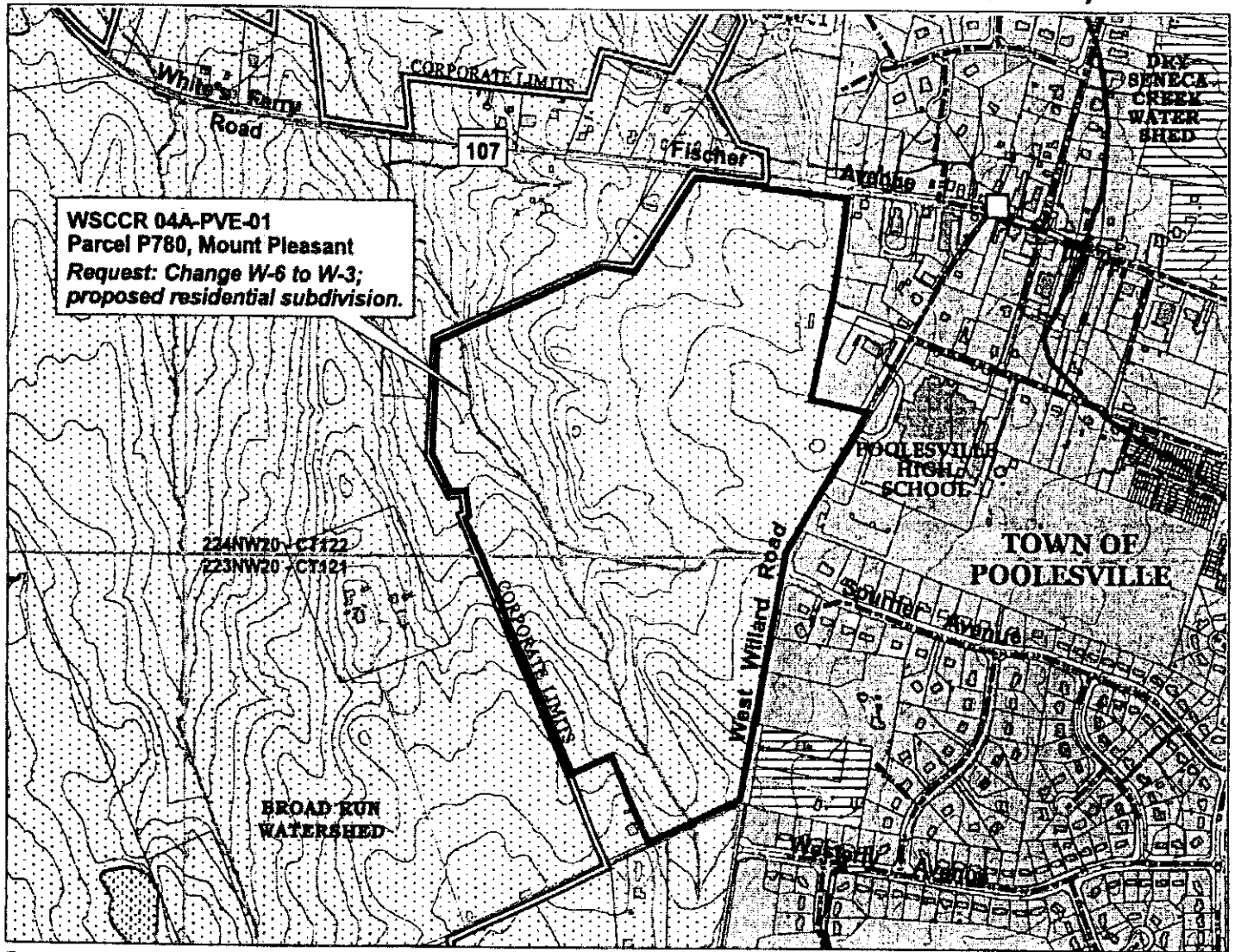
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



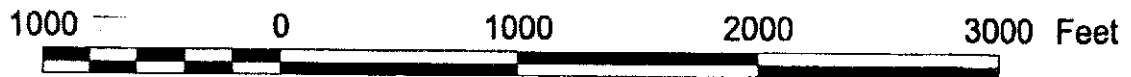
Water & Wastewater Planning  
2/28/05 - GIS Project File:  
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# Sewer Service Area Categories Map WSSCR 04A-PVE-01 (Winchester Homes/D. Schraf, et al.)



Poolesville Planning Area

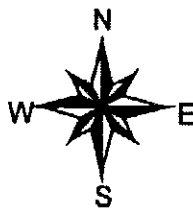


## MAP LEGEND

- Property
- WSSC/GIS Tile Grid
- Poolesville Sewerage Systems**
  - Gravity Sewer Mains
  - Low-Pressure Sewer Mains
  - Force Mains
- Wastewater Pumping Stations
- Poolesville Corporate Limits
- Topography (C.I. = 5 Feet)
- Buildings
- Roads
- Parking
- Watersheds
- Streams
- Ponds - Lakes

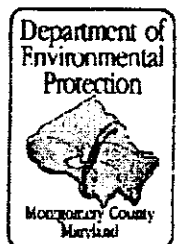
## Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Planning  
2/28/05 - GIS Project File:  
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# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

**Glen Hills Area Cases – Background:** The following category change request is for several properties located in the Glen Hills area, southwest of Rockville. The 2002 Potomac Subregion Master Plan specifically addresses sewer service recommendations in the Glen Hills area, calling for the provision of public sewer service only to relieve documented public health problems, pending a study of the area's septic systems to determine the potential extent of septic problems and how to continue to support the neighborhood with on-site systems. Pending the completion of the septic system study, the master plan does not support any other provision of public sewer service in the Glen Hills area, including properties qualifying under the Water and Sewer Plan's abutting mains service policy. DEP and DPS have started work on the study, with the Lakewood Estates sanitary survey included in this transmittal packet (starting at circle pg. 41). The completion of the study for the entire neighborhood is expected to approximately one year.

TRAVILAH PLANNING AREA – GLEN HILLS AREA CASE		
Amendment No./Applicant (Owner) Property Location & Information Proposed/Existing Development	Applicant's Request/Explanation: Service Area Categories: Existing      Requested	Reviewing Agency Comments (Main extensions are non-CIP sized unless specified.)
<b>WSSCR 05A-TRV-02</b> <b>Maryland Development Co. (for Marija Avramovic Estate)</b> <ul style="list-style-type: none"> <li>13200 Cleveland Dr. – Parcels P592, P600 &amp; P802, Discover &amp; Younger Brothers; Parcel P651, Wickham &amp; Pottinger</li> <li>Map tile: 217NW09; FR561</li> <li>↖ Southeast quadrant, intersection of Cleveland Dr. and Valley Dr.</li> <li>Potomac Subregion Master Plan (2002)</li> <li>Watts Branch Watershed (MDE Use I)</li> <li>RE-1 Zone; 13.8 ac.</li> <li>Existing use: one single-family house &amp; 3 vacant parcels</li> <li>Proposed use: 3 single-family houses</li> </ul>	<p>W-1      No Change S-6      S-3</p> <p><u>Applicant's Explanation:</u> "The parcels are exempt from subdivision. Parcel P600 has a residence existing on the property. There is an existing public sewer system in Cleveland Drive across most of the parcel's frontage."</p> <p><i>Also see the applicant's letter dated May 11, 2005, at circle pgs. 26 -28.</i></p> <p><u>WSSC-Sewer:</u> Service to the existing house on Parcel P600 can be provided from the abutting low-pressure sewer main (#871849A) along Cleveland Dr.</p> <p>Service to the other properties will require a 1500-foot main extension from the 8-inch sewer at Overlea Dr. (#835793A). The extension would abut two additional properties, including Parcel P802 (also owned by the Avramovic estate), through which the majority of this extension would run. Construction will involve the removal of trees, temporary disturbance to wetlands near Overlea Dr., and a likely stream crossing. The extension will also require rights-of-way. This extension would provide gravity service to Parcel P600. If constructed, future extensions from this main could provide gravity sewer service to approx. 120 other homes or lots in the neighborhood.</p> <p><u>DPS-Well &amp; Septic:</u> DPS has a septic permit for the existing home at 13200 Cleveland Dr. dated 1957. Percolation tests conducted in 1963 on the vacant properties all failed. New water table tests from the Spring of 2005 showed a high water table throughout. Recent investigations have found the 1957 septic system is damaged and may be discharging sewage into a nearby pond.</p> <p><u>DEP follow-up comment:</u> DPS confirmed the failure of the existing septic system in July 2005. DEP subsequently directed WSSC to provide a single sewer connection for the property from the abutting pressure sewer. This action did not affect the status of the other properties included in this request.</p>	<p><b>M-NCPPC Staff:</b> Deny this request until completion of the Glen Hills sanitary study as per the 2002 master plan. The development proposal is not consistent with sewer service recommendations in the 2002 master plan, as follows:</p> <p>"Until a [sewer service] policy is developed, restrict further service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures."</p> <p>However, serve Parcel P600 only through the use of the existing pressure sewer.</p>

### County Executive Recommendation:

- For Parcel P600: Approve S-1, restricted to a single sewer hookup only. Public health problem.
- For Parcels P592, P561 and P802: Deny the S-3 sewer category request; maintain S-6.

**Executive Staff Report:** The applicant has requested a sewer category change to allow service to an existing house and for the development of several adjacent vacant parcels in the Glen Hills Neighborhood. Neither Water and Sewer Plan general sewer service policies for areas zoned RE-1 nor the Potomac Master Plan sewer recommendations currently support the provision of public sewer service to the unimproved properties. DPS verified the failure of the existing septic system for the house located on Parcel P600, which satisfies the



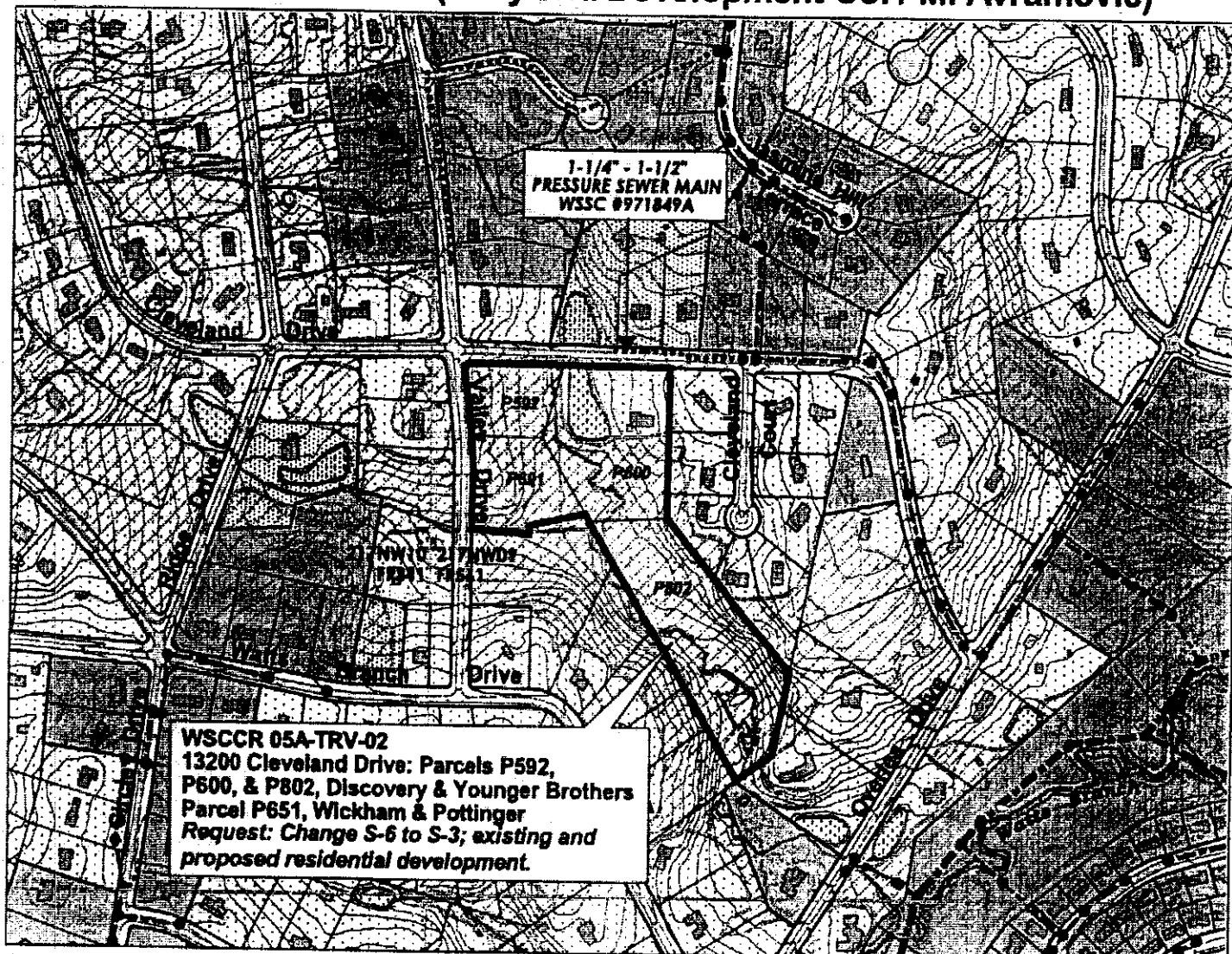
TRAVILAH PLANNING AREA -- GLEN HILLS AREA CASE

conditions for restricted sewer service under the Water and Sewer Plan policies for public health problems and the master plan's recommendations for the Glen Hills area. Accordingly, DEP has already directed WSSC to provide sewer service via a single sewer hookup for the existing house from an abutting low-pressure sewer main located along Cleveland Drive.

WSSC has not considered this existing low-pressure sewer as a means for providing sewer service for the remainder of the property. WSSC service policies strongly favor the use of gravity sewer mains rather than pumped sewerage systems wherever possible. While the extension of a gravity sewer main up along the Watts Branch tributary through Parcel P802 certainly presents concerns with regard to environmental impacts, it does offer a logical means of serving these properties and a significant portion of the neighborhood. We do not see this sewer extension alignment issue as an immediate concern. WSSC will provide service to the existing house with the public health problem from the abutting pressure main, and we have recommended the denial of sewer service for the vacant properties. However, the outcome of the sanitary survey may bring us back to addressing these types of issues, if not within this part of the neighborhood, then possibly in others.

# Sewer Service Area Categories Map

## WSSCR 05A-TRV-02 (Maryland Development Co. / M. Avramovic)



Travilah Planning Area

Watts Branch Watershed

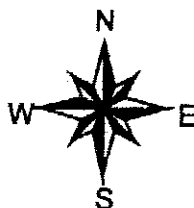
500 0 500 1000 1500 2000 2500 Feet

### MAP LEGEND

- Property (Sept. 2004)
- WSSC/GIS Tile Grid
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6\"- to 8\"-Diameter Gravity Mains
  - 10\"- to 14\"-Diameter Gravity Mains
  - 15\"- to 42\"-Diameter (CIP) Trunk Mains
  - 48\"- or Larger-Diameter (CIP) Trunk Mains
- Topography (C.I. = 5 Feet)
- Buildings
- Roads
- Streams
- Ponds - Lakes
- Woodlands
- M-NCPPC Planning Areas
- County - State - Federal Parks

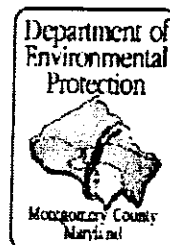
### Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
8/1/05 - GIS Project File:  
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# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

**Greenbriar Branch Watershed Cases – Background:** The following map amendment cases are both located within the Greenbriar Branch subwatershed of Watts Branch, and are both zoned RE-2. Although generally zoned for lower-density residential development, portions of this subwatershed have received approval for public sewer service. Existing sewer service was approved under the guidance of the 1980 master plan for Potomac, which did allow for some extension of service into areas zoned for two-acre development.

Under the updated 2002 master plan, sewer service to low-density development is almost completely constrained, following the policy directions established in the Water and Sewer Plan. The Greenbriar Estates projects, located north of Glen Road, are supported by public sewer service in order to achieve the cluster development and open space preservation objectives of the RNC Zone. The new master plan also allows for limited service at the edges the sewer envelope. In order to be considered for sewer under the master plan's guidance, properties must be located at the edge of the recommended public service envelope and must not require sewer extensions which affect streams or stream buffer areas. The master plan emphasizes sewer main extensions, if required, that can be located within public rights-of-way. Some portions of the master plan area are restricted from this exception to the general sewer service policies, due to either environmental concerns or the expected limitations of public sewerage systems.

TRAVILAH PLANNING AREA		
Amendment No./Applicant (Owner) Property Information Development	Applicant's Request/Explanation: Service Area Categories Existing Requested	Reviewing Agency WSSC and DPS Comments (WSSC Main extensions are non-CIP sized unless specified.)
<b>WSSCR 05A-TRV-06</b> <b>Laurana Coleman Reed</b> • 11641 Glen Rd. – Parcel P103, Piney Grove • Map tile: 215NW11; FQ122 • Northwest side of Glen Rd., south of Great Elm Dr. • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • RE-2 Zone; 5.00 ac. • Existing use & proposed use: service for the expansion of the existing single-family house	W-1 No Change S-6 S-3  Applicant's Explanation: "I would like a sewer category change so that I can put an addition on my house and a pool in my yard that would be consistent with my neighborhood and with the 2002 Potomac Master Plan recommendations under the peripheral service policy.	<p><u>M-NCPPC Staff:</u> Consistent with sewer service recommendations on page 23 of Master Plan. i.e. Allow for the limited provision of community sewer service for areas zoned RE-1 and RE-2 within and at the periphery of the proposed sewer service envelope. The property confronts the sewer service envelope on Great Elm Drive, immediately across Glen Road. Approve S-3 recommended.</p> <p><u>WSSC-Sewer:</u> Service will require a 600' sewer main extension from an existing 8"-dia. main located in a right-of-way in the Great Elm Farm subdivision southwest of the subject property (#919015B). The extension will consist of a 200' gravity main and a 400' low-pressure sewer. The extension would abut three additional properties and require rights-of-way. The property would be served by an on-site grinder pump. WSSC notes that grinder pump systems can cause odor problems in the area of the receiving gravity sewer. WSSC will evaluate the proposed pressure system for odor potential and may deny approval of systems which do not satisfy their established odor mitigation criteria.</p> <p><u>DPS-Well &amp; Septic:</u> This office has no record of the existing septic system – the house was built in 1903. Well &amp; Septic would be unable to approve any living space additions to the house without successful water table and percolation tests.</p>

**County Executive Recommendation:** Approve S-3; service is provided under the recommendations in the 2002 Potomac Subregion Master Plan allowing for the consideration of sewer service at the periphery of the public service envelope.

**Executive Staff Report:** The applicant is seeking the approval of public sewer service in order to allow for the expansion of her existing single-family house. Although public sewer service is not generally intended to support development on properties zoned for a two-acre density, the master plan does allow for the consideration of exceptions for properties at the edge of the sewer envelope. (Please see the preceding background discussion.)

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table**

**TRAVILAH PLANNING AREA**

This property confronts the sewer envelope across Glen Road at the Great Elm Farm subdivision, a neighborhood approved for public sewer service under the recommendations of the prior 1980 master plan. WSSC reports that a gravity/pressure sewer extension from an existing main in this neighborhood can provide service to the property. Although this extension does not follow an established public right-of-way, neither does it affect streams or stream buffers. The extension will only traverse properties already approved for public sewer service. The applicant is cautioned that she will likely have to provide the entire cost of the sewer main extension, either through front foot benefit assessments or construction deficit charges.

Note that the subject property is also at the edge of the sewer envelope with respect to the adjacent Greenbriar Estates properties to the north and west. The sewer service recommendations in the 2002 master plan do not allow public sewer access for properties at the periphery of this project. The Greenbriar Estates pressure sewerage system is designed strictly for that project and is not intended to serve as an option for additional pressure sewer connections or extensions.

Amendment No./Applicant (Owner) Property Information Development	Applicant's Request/Explanation: Service Area Categories		Reviewing Agency WSSC and DPS Comments (WSSC Main extensions are non-CIP sized unless specified.)
	Existing	Requested	
<b>WSSCR 05A-TRV-07</b> <b>Vincent Burnett</b> <ul style="list-style-type: none"> <li>• 11760 Glen Rd. – Parcel P896, Beallsmount</li> <li>• Map tile: 216NW12; EQ563</li> <li>• West side of Glen Rd., north of Great Elm Dr.</li> <li>• Potomac Subregion Master Plan (2002)</li> <li>• Watts Branch Watershed (MDE Use I)</li> <li>• RE-2 Zone; 10.3 ac.</li> <li>• Existing use &amp; proposed use: service for the expansion of the existing single-family house</li> </ul>	W-1 S-6	No Change S-3	<p><b>M-NCPPC Staff:</b> Proposal is inconsistent with the sewer service recommendations on page 23 of the 2002 Potomac Subregion Master Plan. The property does not abut the sewer service envelope and does not qualify under the peripheral service policy. Recommendation: Deny.</p> <p><b>WSSC-Sewer:</b> Service will require a 400' low-pressure sewer main extension from the existing pressure main located at Great Elm Dr. and Glen Rd. (#DA3523A03). The extension would abut three additional properties. The property would be served by an on-site grinder pump. WSSC notes that grinder pump systems can cause odor problems in the area of the receiving gravity sewer. WSSC will evaluate the proposed pressure system for odor potential and may deny approval of systems which do not satisfy their established odor mitigation criteria.</p> <p><b>DPS-Well &amp; Septic:</b> The septic system was installed in 1977 in the back of the house and the well was drilled in 1978. This property has been percolation tested – it has failed for a deep trench, a shallow trench and a sand mound septic system. There is also some indication in the file that the existing septic system was failing in 2001. If the system is failing, the owner may wish to contact Well &amp; Septic for a health hazard letter.</p>

**County Executive Recommendation:** Deny the S-3 sewer request; maintain S-6.

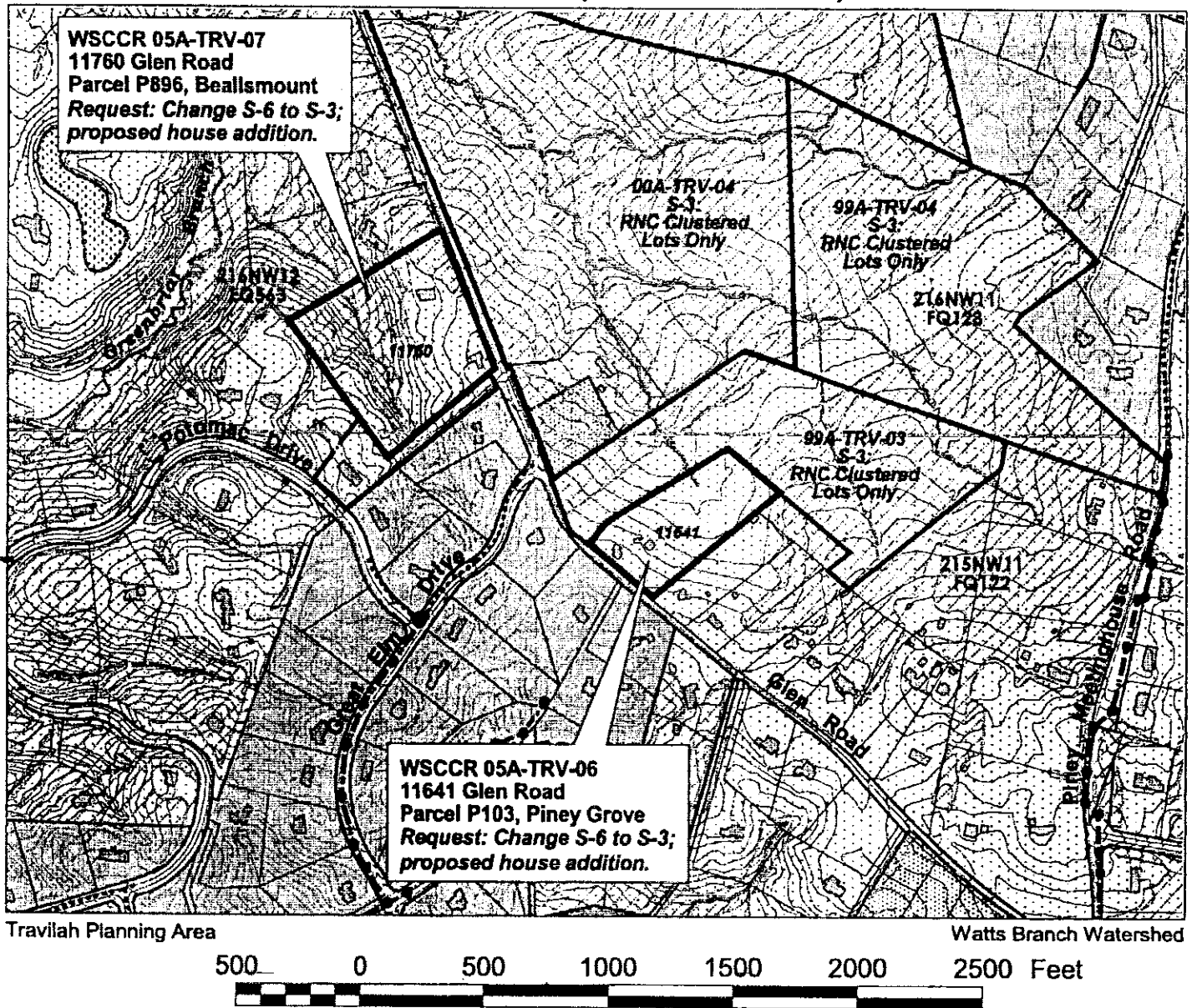
**Executive Staff Report:** The applicant is seeking the provision of public sewer service in order to enlarge the existing house on the property. The provision of sewer service to areas zoned RE-2 is generally inconsistent with Water and Sewer Plan service policies and the recommendations of the 2002 Potomac Subregion Master Plan.

The applicant cites as justification for approval the sewer service recommendations which allow for consideration of properties at the edge of the public service envelope (see above). However, the site is adjacent (confronting across Glen Road) to the envelope only at the Greenbriar Preserve project, which the master plan does not include in this sewer service policy exception. A property adjacent to Mr. Burnett's was approved for sewer service under the peripheral service policy exception. However, that action does not allow the policy exception to cascade to other non-qualifying properties.

The DPS report does raise a concern with regard to the existing septic system; however, the failure of that septic system has not been confirmed for DEP. In the event that a documented failure occurs, DEP and DPS have the authority to address relief of a public health problem through the appropriate policies and procedures established in the Water and Sewer Plan. Based on DPS' comments, it appears unlikely that an on-site repair or replacement of the existing system is possible.

# Sewer Service Area Categories Map

## WSSCRs 05A-TRV-06 (Laurana Coleman Reed) and 05A-TRV-07 (Vincent Burnett)

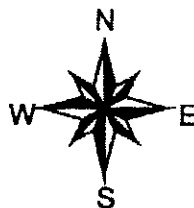


### MAP LEGEND

- Property (Sept. 2004)
- WSSC/GIS Tile Grid
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
  - 48"- or Larger-Diameter (CIP) Trunk Mains
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- Woodlands

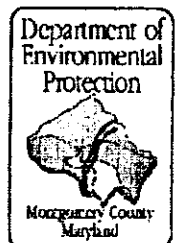
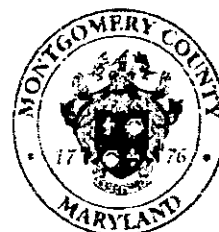
### Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
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and Sewerage Systems Plan



Water and Wastewater Policy Group  
8/4/05 - GIS Project File:  
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## COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

### Public Health Problem Area – Lakewood Estates/Travilah Planning Area

**Background:** Residents of the neighborhood in the vicinity of Cherrydale and Silver Brook Drives in the Lakewood Estates neighborhood contacted DEP with concerns about their septic systems. Since the 2002 update of the Potomac Subregion Master Plan, the County has granted numerous sewer service category changes to properties in this area. This master plan recommended changes to the Piney Branch Restricted Sewer Access Policy which now allows for public sewer service to these lots. (Under the prior policy, new development in the neighborhood could receive public sewer service, but older lots could only receive public sewer based on an existing or anticipated public health problem.) The owners of the older properties in Lakewood Estates expressed concern about their ability to replace their aging septic systems, especially given the size of their lots, many of which are approximately one-half acre in size.

Although now eligible for public sewer service without the need to establish a septic-based health problem, a number of residents in the community have sought a general health problem designation in the Water and Sewer Plan to both reflect their serious concerns regarding their existing conditions and to gain the benefits normally granted to such areas. These benefits include priority for sewer service connections and main extensions and health subsidies for main extensions. DEP initiated and DPS conducted the requested sanitary survey of 32 lots in the neighborhood in Spring/Summer 2005. The survey area totaled 19.57 acres, excluding public roads. DEP selected the survey area to specifically address those older properties in the neighborhood that had initially developed on septic systems, and that previously had been denied general access to public sewer service. The properties north of Valley and Cherrydale Drives are zoned R-200; the properties to the south are zoned RE-1.

**County Executive's Recommendation:** Establish a public health problem area in the Water and Sewer Plan that includes the Lakewood Estates sanitary survey area. DEP will work with the neighborhood on a general category map amendment (from S-6 to S-1 or S-3) to make all properties within the designated health problem area eligible for public sewer service. The map amendment will be addressed via the administrative delegation process.

**Executive Staff Report:** The DPS Well and Septic Section performed a file search of existing septic permit records and conducted field surveys and inquiries with residents in the course of the survey. DEP staff evaluated the results of the sanitary survey conducted by the DPS. DEP staff assigned a "level of health concern" based factors such as survey results, property characteristics, and recently documented health problems. Those properties identified as having a high concern have had recent septic system failures that have required the provision of public sewer service. Those identified as "moderate" have some combination of factors that raise a concern about the feasibility of replacing the existing septic system. These include:

- Small property size (close to one-half acre),
- Lack of existing septic testing or permit records
- 1960's-era systems which have no septic reserve areas identified, and
- Close proximity to a recent, documented septic failure that required public service relief.

Properties with a "low" level of concern generally lacked the preceding concerns, and had either relatively larger lot areas in which to site a replacement system, or a more modern septic system repair or replacement which was more likely to meet current on-site system regulations. These issues are identified for each property in the survey area in the table stating at circle pg. 42. DEP's interpretation of the survey results shows that 25 of the 32 surveyed properties, or approximately 78 percent, have a moderate or high level of health concern. This reflects a sufficient concern about existing and anticipated health problems to warrant the designation of these properties collectively as a public health problem area.

Recent cases involving public health problem areas have addressed properties located outside of the acknowledged public water or sewer service envelopes: e.g. The Corral Drive (Potomac), Tune Avenue (Damascus). In these cases, the establishment of health problem designation allowed properties outside the envelope access to public water or sewer service where such service would not generally be provided. In the case of Lakewood Estates, all of the surveyed properties can be considered suitable for public sewer service. Many of these properties have received sewer category changes from S-6 to S-3 through the administrative delegation process. Health problem area cases have typically been coupled with a general category map



# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

amendment which proposes to change the service area categories of the affected properties to allow public service. Because this health problem area does not have a pending category change request, and because the properties can be considered for sewer service without the health designation, we have not yet prepared a sewer category change amendment for these properties. DEP will begin work with the neighborhood on a general category map amendment which will move these properties from S-3 and S-6 to S-1 and S-3, as appropriate. This category change will be handled through an upcoming administrative delegation group.

Existing mains can provide sewer service to approximately half of the properties in the survey area. The existing main extension along Aqua Lane and Lakewood Court was constructed in response to septic system failures on those streets. A proposed sewer extension project along Cherrydale and Silver Brook Drives, WSSC #AS3576Z03, will provide service to all of the remaining properties.

**Survey Results and DEP Evaluation:** The following table and the neighborhood map at circle pg. 45 summarize the survey's findings:

Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":		LOW		MODERATE		HIGH
Street Address	Lot & Block Date Built - Size	Categories		Owner(s)	DEP Comments	DPS-Well & Septic: Survey Results and Comments – Level of Health Concern
		Water	Sewer			
Aqua Lane Properties						
#13600	Lot 5, Block 4 1965 – 0.67 ac.	W-1	S-6	Steven & A.S. Kohn	Sewer abuts.	1964 lagoon system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13601	Lot 7, Block 5 1999 – 0.49 ac.	W-1	S-1	Yital Hu	Sewer abuts. Using sewer; served in error.	No septic records.
#13604	Lot 6, Block 4 1965 – 0.52 ac.	W-1	S-6	Leonid Podrabinnik & Marian Gaivoronskaia	Sewer abuts; adjacent to recent failure.	1983 trench system (replaced 1964 lagoon). Repair: a drip or trench system may be possible.
#13605	Lot 8, Block 5 1974 – 0.54 ac.	W-1	S-3	Sandor Boyson & Margarita Rodriguez	Using sewer; public health case.	Prior health problem case.
#13609	Lot 9, Block 5 1973 – 0.48 ac.	W-1	S-6	Ho & J.H. Kim	Sewer abuts; adjacent to recent failure.	1973 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13613	Lot 10, Block 5 1962 – 0.46 ac.	W-1	S-6	Victor Stekoll & Susan Levi	Sewer abuts; connection installed; adjacent to recent failure.	1962 lagoon system. Repair: No reserve area established; testing for a drip or trench system may be possible, but owner planning for public sewer when system fails.
Cherrydale Drive Properties						
#13600	Lot 3, Block 5 1962 – 0.53 ac.	W-1	S-3	George & Sharon Smrthwick	Sewer on Valley Dr. abuts.	No septic records; may have been repaired once. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13601	Lot 2, Block 2 1977 – 1.16 ac.	W-1	S-6	David & K. Anderson	1+-acres; more area for on-site repair	No septic records. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13604	Lot 2, Block 5 1962 – 0.47 ac.	W-1	S-3	Robert & D. Reiderer		1961 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13605	Lot 3, Block 2 1961 – 0.93 ac.	W-1	S-3	Judith Knight, <i>et al.</i>	1+-acres; more area for on-site repair	1983 trench system. Repair: drip or trench system may be possible.

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":		LOW		MODERATE		HIGH
Street Address	Lot & Block Date Built - Size	Categories		Owner(s)	DEP Comments	DPS-Well & Septic: Survey Results and Comments – Level of Health Concern
		Water	Sewer			
#13609	Lot 4, Block 2 1961 – 0.92 ac.	W-1	S-3	Paul & Laura Yazge	1-acre; more area for on-site repair	1983 trench system. Repair: drip or trench system may be possible.
Lakewood Court Properties						
#13613	Lot 7, Block 4 1976 – 0.63 ac.	W-1	S-6	Joseph & Linda Kobylski	Sewer abuts.	1975 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible. Jan. 2005 update: existing system has failed; owner seeking sewer from abutting main.
#13705	Lot 11, Block 5 1962 – 0.51 ac.	W-1	S-6	Edward Atkins, et al. Trust	Sewer abuts; connection installed; adjacent to recent failure.	1962 trench system. Repair: drip or trench system may be possible, but owner planning for public sewer when system fails.
#13709	Lot 12, Block 5 1962 – 0.46 ac.	W-1	S-3	Brent & Lisa Goodman Goldstein	Sewer abuts; public health case	1962 trench system. Repair: No reserve area established; public sewer service recommended. Prior public health case.
#13713	Lot 13, Block 5 1972 – 0.49 ac.	W-1	S-6	Mitchell & P.M. Belzer	Adjacent to recent failure.	1970 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
Silver Brook Drive Properties						
#9900	Lot 1, Block 5 1961 – 0.50 ac.	W-1	S-3	John & Lois McInnes		1988 trench system (replaced 1960 drywells). Repair: pump to drip, trench or sand mound system in front yard may be possible.
#9901	Lot 1, Block 6 1961 – 0.48 ac.	W-1	S-6	E. Valerie Newkirk, et al.		1961 drywell system. Repair: No reserve area established; testing for a pumped drip or trench system may be possible.
#9905	Lot 2, Block 6 1961 – 0.47 ac.	W-1	S-3	Frederick & P.M. Evans		1989 trench system (replaced 1963 drywells). Repair: a pumped drip or trench system may be possible.
#9909	Lot 3, Block 6 1961 – 0.47 ac.	W-1	S-3	Elizabeth Tennery, et al.		1961 drywell system. Repair: No reserve area established; testing for a drip or trench system in back yard may be possible.
#9912	Lot 21, Block 5 1961 – 0.60 ac.	W-1	S-3	Kenneth Kofsky & Lora Green		1982 & 2003 trench systems (replaced 1961 drywells). Repair: trench system in front yard, or drip system in back yard.
#9913	Lot 4, Block 6 1961 – 0.51 ac.	W-1	S-3	John & L.S. Sheehan		1991 trench system (replaced 1963 drywells). Repair: trench system in back yard, or drip system in front yard.
#9917	Lot 5, Block 6 1961 – 0.53 ac.	W-1	S-6	Edward & Sylvia Sasnett		1962 drywell system. Repair: drip or trench system in back yard may be possible.
#9920	Lot 10, Block 6 1961 – 0.46 ac.	W-1	S-3	Stephen & E.R. Cohen		1984 trench system (repair of 1962 drywells). Repair: drip or trench system may be possible.
#9921	Lot 6, Block 6 1961 – 0.48 ac.	W-1	S-3	William & M.H. Druckenbrod	Adjacent to recent failure.	1962 drywell system. Repair: No reserve area established; testing for pumped drip or trench system may be possible.



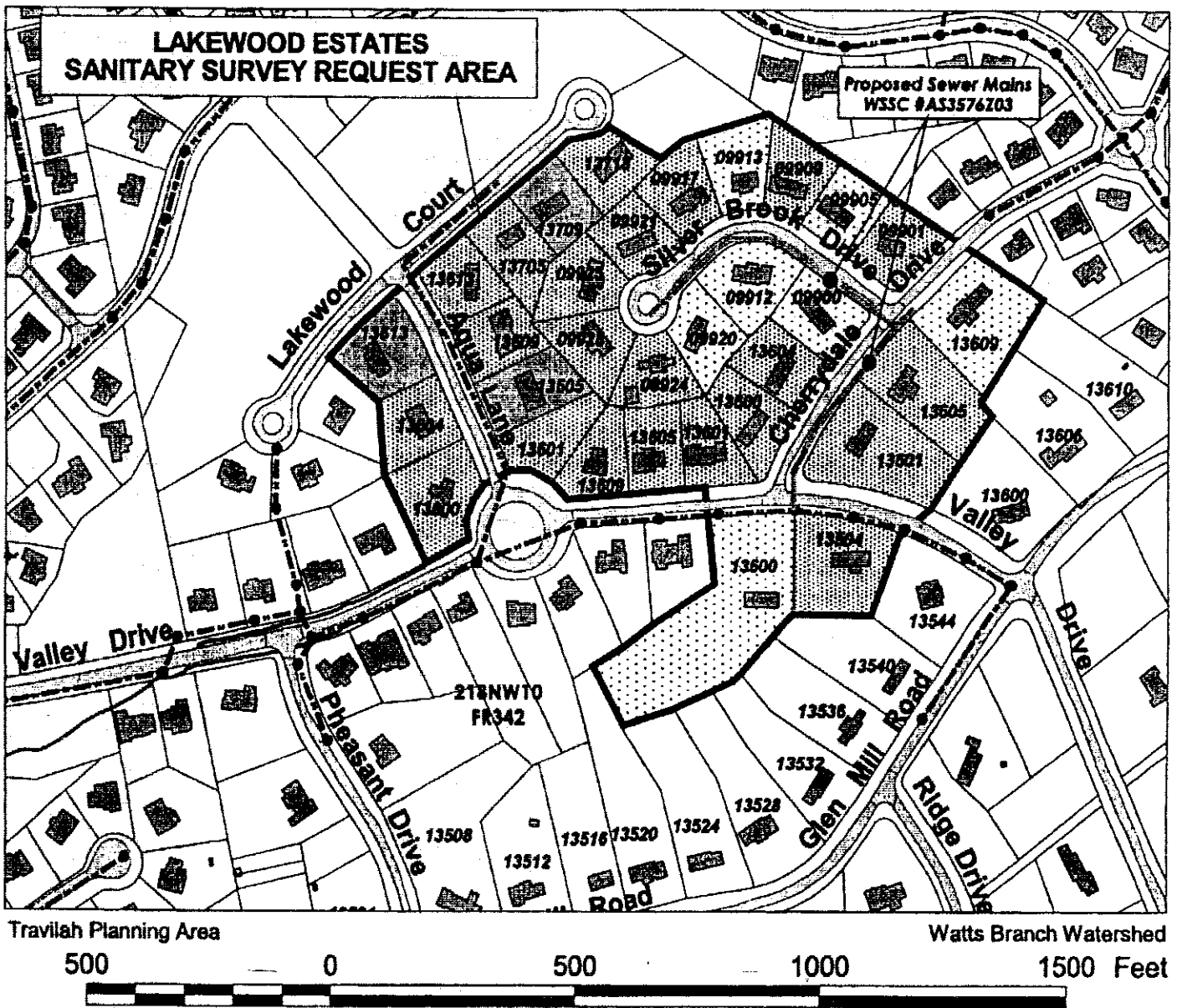
# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":			LOW		MODERATE	HIGH
Street Address	Lot & Block Date Built - Size	Categories Water Sewer		Owner(s)	DEP Comments	DPS-Well & Septic: Survey Results and Comments – Level of Health Concern
#9924	Lot 9, Block 6 1961 – 0.46 ac.	W-1	S-3	Gerald & D.L. Silbert		1979 trench system (replaced 1962 drywells). Repair: drip system over existing trenches may be possible. Topographic constraints on site.
#9925	Lot 7, Block 6 1961 – 0.51 ac.	W-1	S-3	John & K.M. Connors	Adjacent to recent failure.	1980 trench system (replaced 1962 drywells). Repair: drip or trench system may be possible.
#9928	Lot 8, Block 6 1961 – 0.50 ac.	W-1	S-3	Jay & Sherri Eichberg	Adjacent to recent failure.	2003 tank and 1980 trench system (replaced 1962 drywells). Repair: drip or trench system may be possible. Topographic constraints on site.
Valley Drive Properties						
#13504	Lot 11, Block 1 1961 – 0.92 ac.	W-1	S-6	John & D.E.J. Phelan	1-acre; more area for on-site repair. Sewer abuts.	1961 drywell system. Repair: drip or trench system in may be possible. Owner prefers to repair septic when necessary.
#13600	Lot 12, Block 1 1978 – 2.02 ac.	W-1	S-6	Aura Sanchez, <i>et al.</i> Trust	1+-acre; more area for on-site repair. Sewer abuts.	1977 trench system. Repair: drip or trench system in may be possible, but owner has tap and will connect to sewer when system fails.
#13601	Lot 4, Block 5 1962 – 0.46 ac.	W-1	S-6	Joshua Korsower	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.
#13605	Lot 5, Block 5 1962 – 0.48 ac.	W-1	S-6	John Hoff, <i>et al.</i> Trust	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.
#13609	Lot 6, Block 5 1962 – 0.46 ac.	W-1	S-6	Timothy & A.A. Gilbert	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.



# Sanitary Survey Results: Lakewood Estates



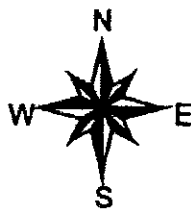
## MAP LEGEND

- Property
- Sewer Manholes
- Sewer Mains
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 18"-Diameter (CIP) Trunk Mains

- Buildings
- Roads
- Streams
- Ponds
- Sanitary Survey Area

## Sanitary Survey Results: Level of Health Concern

- High
- Moderate
- Low



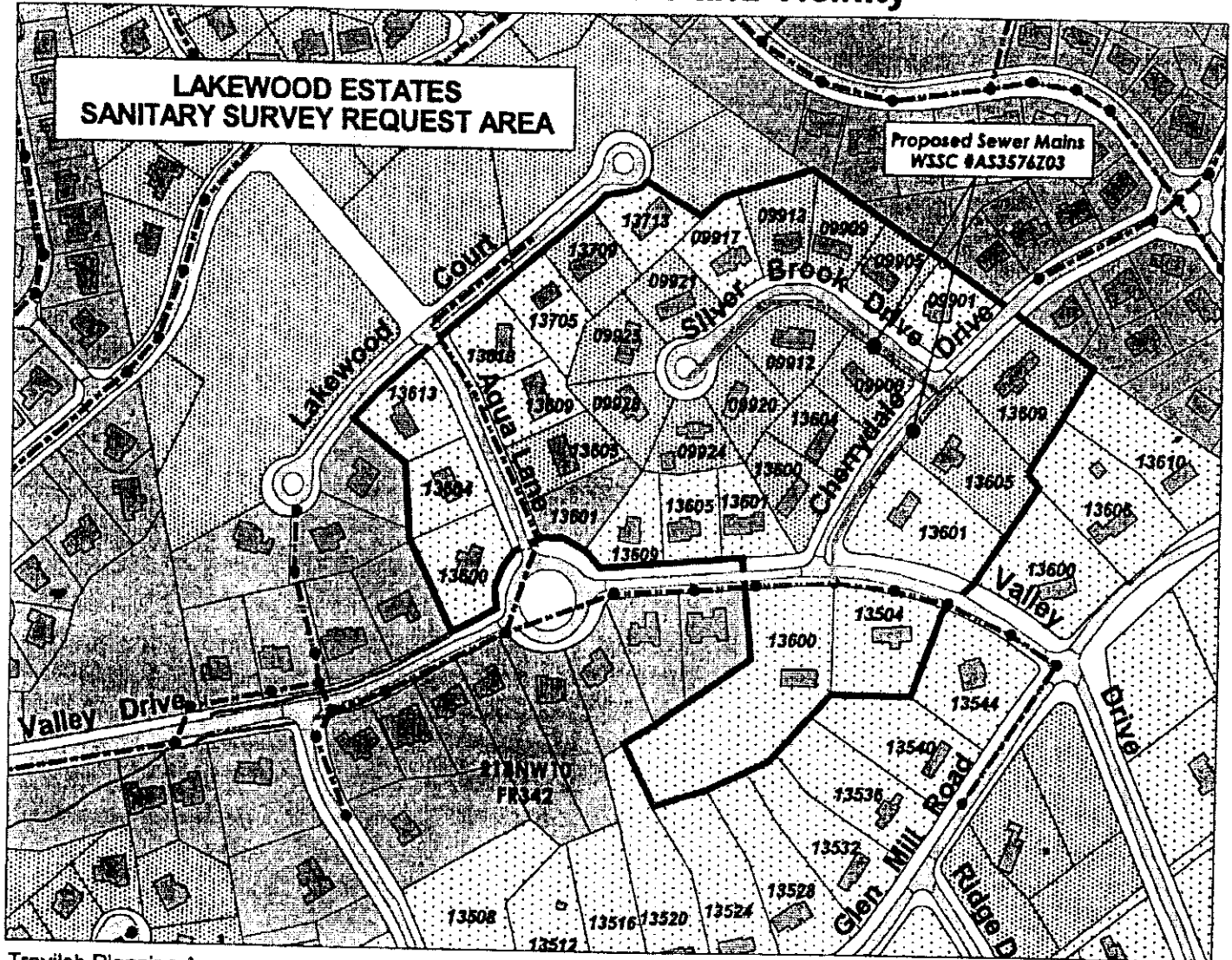
**JUNE 2003 UPDATE  
SERVICE AREA CATEGORIES MAP**  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
1/2/06 - GIS Project File:  
o:\wteam\wef\sept\healthaz\sauveys\travilah\glenhills-lakewood\lakewood\_esta-pt1-bw-trv-apr

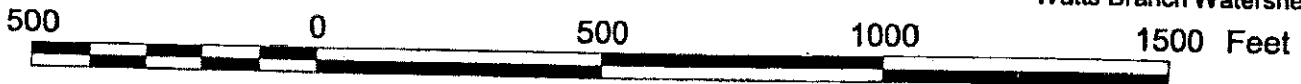
45

# Sewer Service Area Categories Map: Lakewood Estates and Vicinity



Travilah Planning Area

Watts Branch Watershed



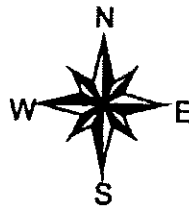
## MAP LEGEND

- Property
- Sanitary Survey Area
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 18"-Diameter (CIP) Trunk Mains

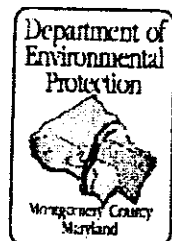
- Buildings
- Roads
- Streams
- Ponds

## Sewer Service Area Categories

- S-1
- S-3
- S-4
- S-5
- S-6



JUNE 2003 UPDATE  
SERVICE AREA CATEGORIES MAP  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Watershed Management Division  
1/9/06 - GIS Project File:  
c:\wteam\wells\ep\health\az\s\travilah\glenhills-lakewood\lakewood\_ests-pt1-bw-trv.apr

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

**Private Institutional Facility (PIF) Cases – Background:** The following map amendment involves a proposal from a non-profit group, or what the Water and Sewer Plan defines as private institutional facility (PIF). The PIF policy in the Plan creates the *limited opportunity* for exceptions to the Plan's general public service policies, allowing the provision of public water and/or sewer service for PIF uses where other residential or commercial development could not normally qualify for such service. However, recent category change amendments addressed under the PIF policy have raised questions about the use of this special service policy, especially in the rural areas of the county. (See circle pgs. 49-51 for the text of the PIF policy.)

The County Council recently reviewed the recommendations of an interagency working group formed to address the Council's concerns such as public water and sewer service, imperviousness and watershed protection, and land use priorities with regard to private institutional uses. The Council chose to amend the PIF policy based on the working group's recommendation. However, the changes to the policy—which prohibit the provision of public service for PIFs in the County's agricultural reserve area—do not affect the disposition of this request for property zoned Rural Cluster (RC).

PRIVATE INSTITUTIONAL FACILITY (PIF) CASES – OLNEY PLANNING AREA		
Amendment No./Applicant (Owner) Property Location & Information Proposed/Existing Development	Applicant's Request/Explanation Service Area Categories: Existing Requested	Reviewing Agency Comments (WSSC Main extensions are non-CIP sized unless specified.)
<b>WSSCR 05A-OLN-02</b> <b>Parker Memorial Baptist Church</b> <b>(for R. Jones Estate)</b> • 1601 Norbeck Rd. – Parcels P905, P907, & P909, Batchellors Forest Etc • Map file: 222NW02; JS123 • North side of Norbeck Rd. (MD 28) west of Layhill Rd. (MD 182) • Olney Master Plan (2004) • Northwest Branch Watershed (MDE Use IV) • RC Zone; 8.39 ac. • Existing use: existing single-family house and two vacant parcels • Proposed use: house of worship (a plan for the site has not yet been provided)	W-6 W-3 S-6 S-3  <u>Applicant's Explanation (summarized*):</u> 1) The applicant is applying under the PIF policy in the Water and Sewer Plan 2) The property confronts areas developed using public water and sewer service south of Norbeck Rd. The surrounding area is within the Southeast Quadrant of the Olney Master Plan, where much of the area is recommended for public water and sewer service.	<b>M-NCPPC Staff:</b> The 2004 Olney Master Plan does not include this property in its proposed sewer envelope. The applicant is proposing a private institutional facility (PIF). Because no preliminary plan has been filed, the compatibility of the use with adjacent low-density residential areas cannot be determined. The master plan recommends minimizing imperviousness in the Batchellors Forest Tributary and maintaining the existing forest cover to protect the stream quality. Approve W-1, S-1 under the PIF policy, conditioned upon a preliminary plan that minimizes imperviousness to approximate that expected with the underlying zone, maintains a significant amount of the existing forest and buffers adjacent residential uses.  <b>WSSC-Water:</b> Service will require a 500' main extension east from the existing 12" main near the intersection of Norbeck Rd. and Whitehaven Rd. (#825314A). The extension will abut one additional property; rights-of-way may be required. Construction will involve work along Norbeck Rd. (A 42" transmission main abuts the site; however, direct service connections to mains of this size are not allowed.)  <b>WSSC-Sewer:</b> Service will require a 500' main extension west from the existing 10" main located north of intersection of Norbeck and Layhill Rds. The extension will abut one additional property; rights-of-way will be required.  <b>DPS-Well &amp; Septic:</b> Previous percolation tests on these parcels were unsatisfactory. The construction of a church without sewer is not a possibility.
3) The site satisfies the abutting mains policy in the Water and Sewer Plan for public water service. A 42" water main abuts the site along Norbeck Rd. (A 10" sewer main is located 500' east on County-owned land.) 4) A private 500' sewer extension could not be used to serve any adjacent property. Lots to the west and north are recorded and developed using septic systems (c. 1981). The property to the east is County-owned and not subject to private development. None of the properties surrounding the site would need service from an extension to the church. * see circle pg. 53 for the applicant's full text		

**County Executive's Recommendation:** Defer action of the W-3/S-3 water and sewer category request, pending the church's presentation of a development concept plan for the subject site. This plan must at least provide a general layout of the structures and driveway/parking areas to allow an estimate of the impervious surface proposed.

PRIVATE INSTITUTIONAL FACILITY (PIF) CASES – OLNEY PLANNING AREA

**Executive Staff Report:** The applicant has requested a water and sewer category change in support of a proposed relocation and expansion of an existing religious institution. Given the recommendations of the recently-updated Olney Master Plan (2004), this request needs to be considered under the Water and Sewer Plan's PIF policy, as public water and sewer service would not be generally available to the site, which is zoned Rural Cluster (RC). At this time, the applicant has not provided a plan which shows their proposal for development of the subject site. As the Council considers each PIF request on a case-by-case basis, the opportunity for the Councilmembers to review at least a general site concept for a PIF project has become an important part of the evaluation of these requests. Absent any plan for this project, the request for public water and sewer service should be deferred until the applicant provides a plan for the Council's review.

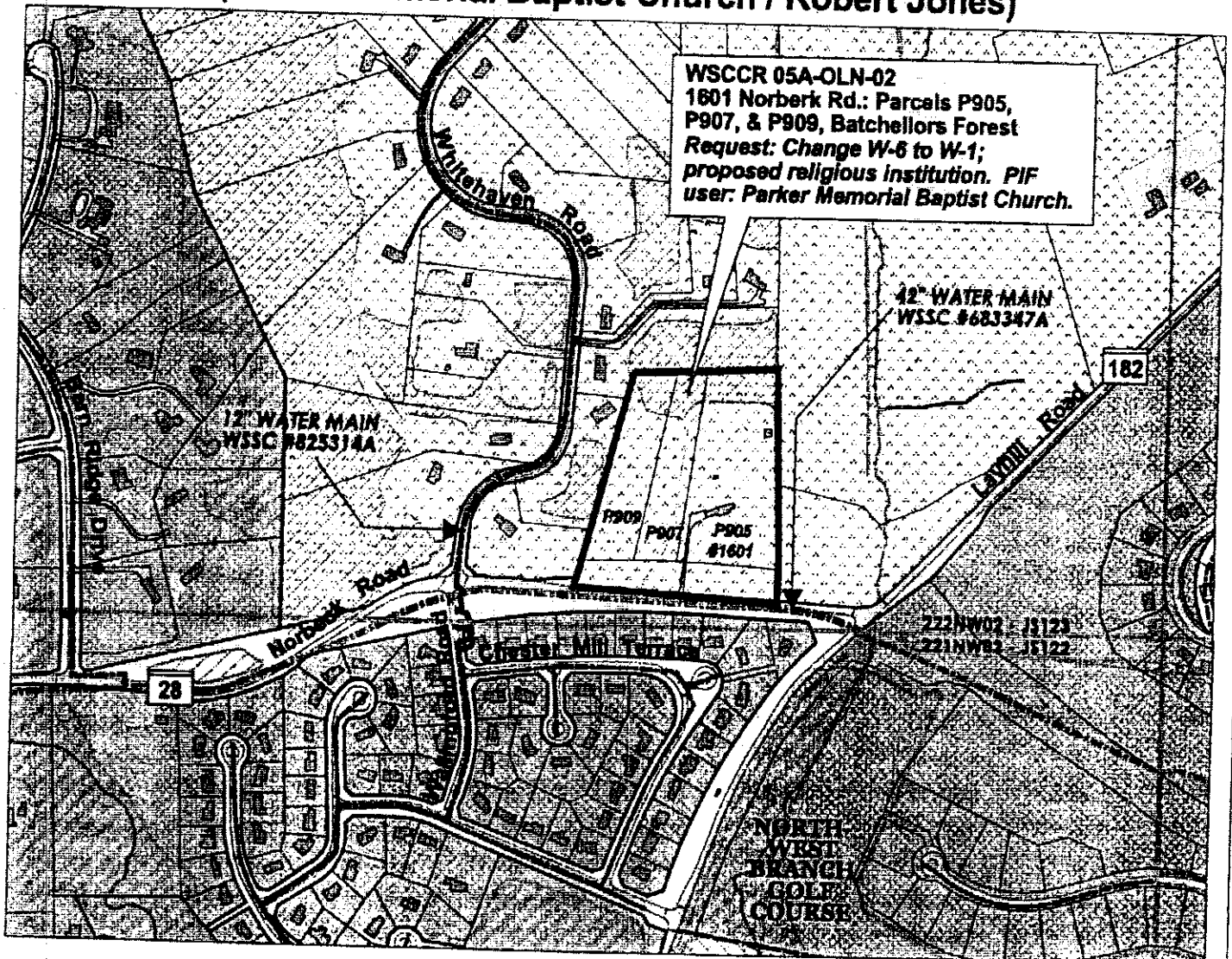
In other regards, the provision of public water and sewer is consistent with the PIF policy requirements. Public service can be extended to the site without opening up service to any property not otherwise eligible for such service. Under the PIF policy, the approval of public service must be restricted to a PIF use, and specifically to the applicant's use.

The required water main extension will abut only properties approved for and with access to public water service. A mapping error incorrectly identifies the properties located along Whitehaven Rd. as category W-6; the correct category is W-1. (Note: The applicant's assumption that service could be provided from the 42-inch water main along Norbeck Road under the Plan's abutting mains policy is not correct. WSSC does not allow direct connections to transmission mains of this size.)

The required sewer mains extension would abut or traverse only one property designated as category S-6: County-owned property recently acquired as a Legacy Open Space (LOS) site. The extension would cross a tributary of Northwest Branch; this part of the LOS site is largely open fields without many trees. The recommendation for this amendment does note that M-NCPPC will likely need to issue a permit for the sewer to cross County park land. M-NCPPC would also consider the sewer alignment as part of the preliminary plan review. The remaining properties in the vicinity of the sewer extension are already designated as category S-1.

At this time, the Water and Sewer Plan and the PIF policy do not contain any specific direction with regard to impervious surface restrictions for private institutional land uses. The Council recently rejected a proposed zoning text amendment which would have established broad based impervious limits by zone in the County's rural and rural estate zones. Instead, the Council request that agency staff to investigate establishing watershed-based impervious limits. However, in two recent cases—the Lutheran Church of St. Andrew and the People's Community Baptist Church—also within the Northwest Branch watershed, the Council has indicated a preference for a voluntary impervious limit of 25 percent.

# Water Service Area Categories Map: WSCCR 05A-OLN-02 (Parker Memorial Baptist Church / Robert Jones)



500 0 500 1000 1500 2000 2500 3000 Feet

## MAP LEGEND

Property (Apr. 2005)

WSSC/GIS Grid

### Water Mains

8" or Smaller-Dia. Mains

10" to 15"-Dia. Mains

16" to 24"-Dia. (CIP) Mains

30" to 42"-Dia. (CIP) Mains \*

48" or Larger-Dia. (CIP) Mains \*

\* No Individual Connections

Buildings

Roads

Streams

Ponds

Woodlands

Parks

### Water Service Area Categories (06/03)

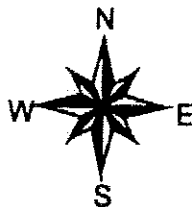
W-1

W-3

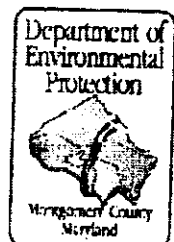
W-4

W-5

W-6



JUNE 2003 UPDATE  
SERVICE AREA CATEGORIES MAP  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan

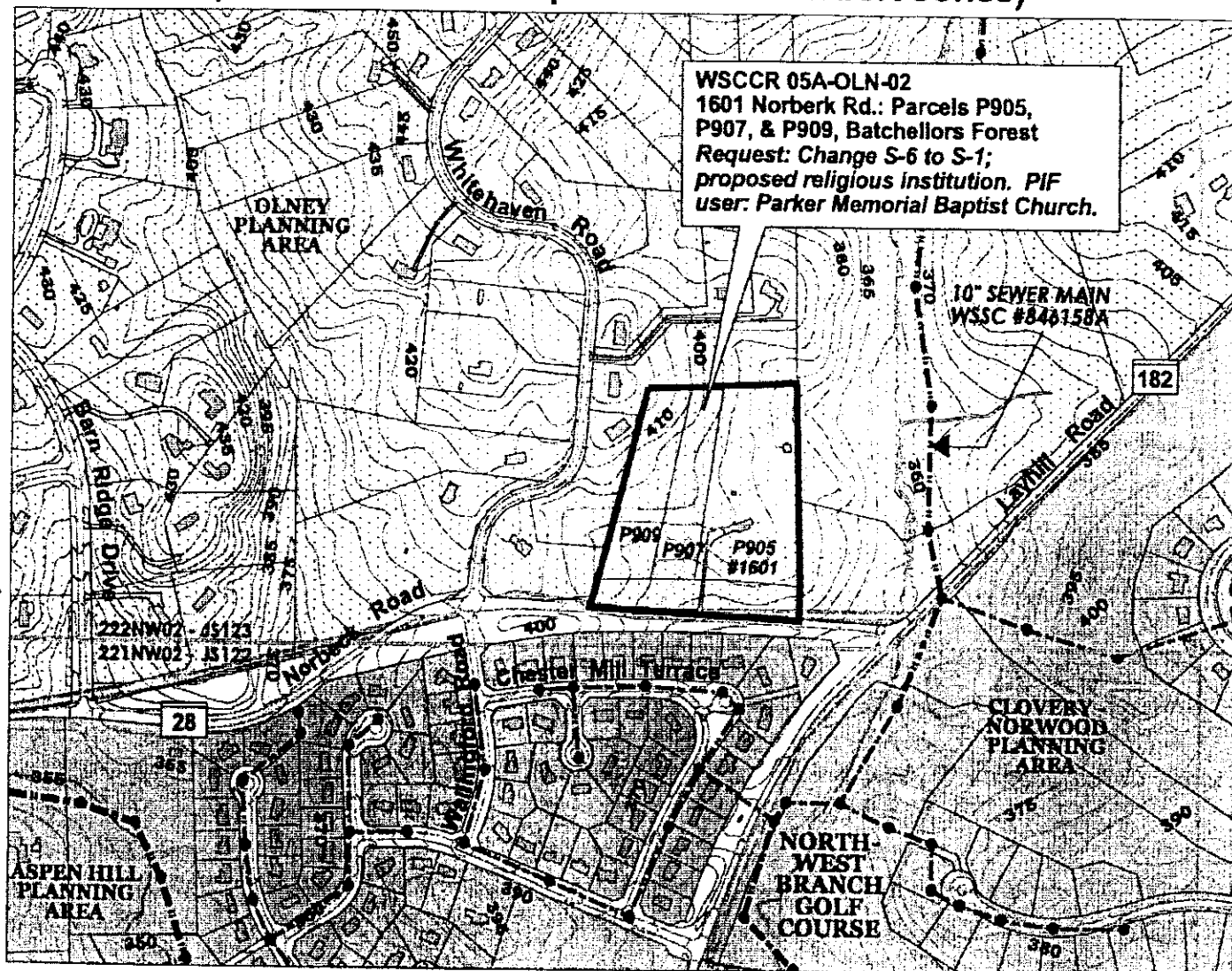


Water and Wastewater Policy Group  
7/28/05 - GIS Project File:  
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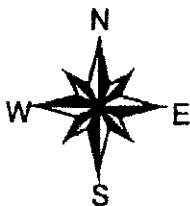


# Sewer Service Area Categories Map: WSCCR 05A-OLN-02 (Parker Memorial Baptist Church / Robert Jones)

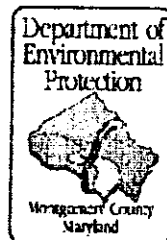


## MAP LEGEND

- Property (Apr. 2005)
  - WSSC/GIS Grid
  - Sewer Manholes
  - Sewer Mains**
    - Small-Diameter, Low-Pressure Mains
    - 6" to 8" Diameter Gravity Mains
    - 10" to 14" Diameter Gravity Mains
    - 15" to 18" Diameter (CIP) Trunk Mains
    - 20" to 42" Dia. (CIP) Mains
    - 48" or Larger Diameter (CIP) Trunk Mains
    - No Individual Connections
    - Sewer pressure sewer as built.shp
  - Topography (C.I. = 5 Feet)
  - Buildings
  - Roads
  - Streams
  - Ponds
  - Parks
  - M-NCPPC Planning Areas
- Sewer Service Area Categories (06/03)**
- S-1
  - S-3
  - S-4
  - S-5
  - S-6

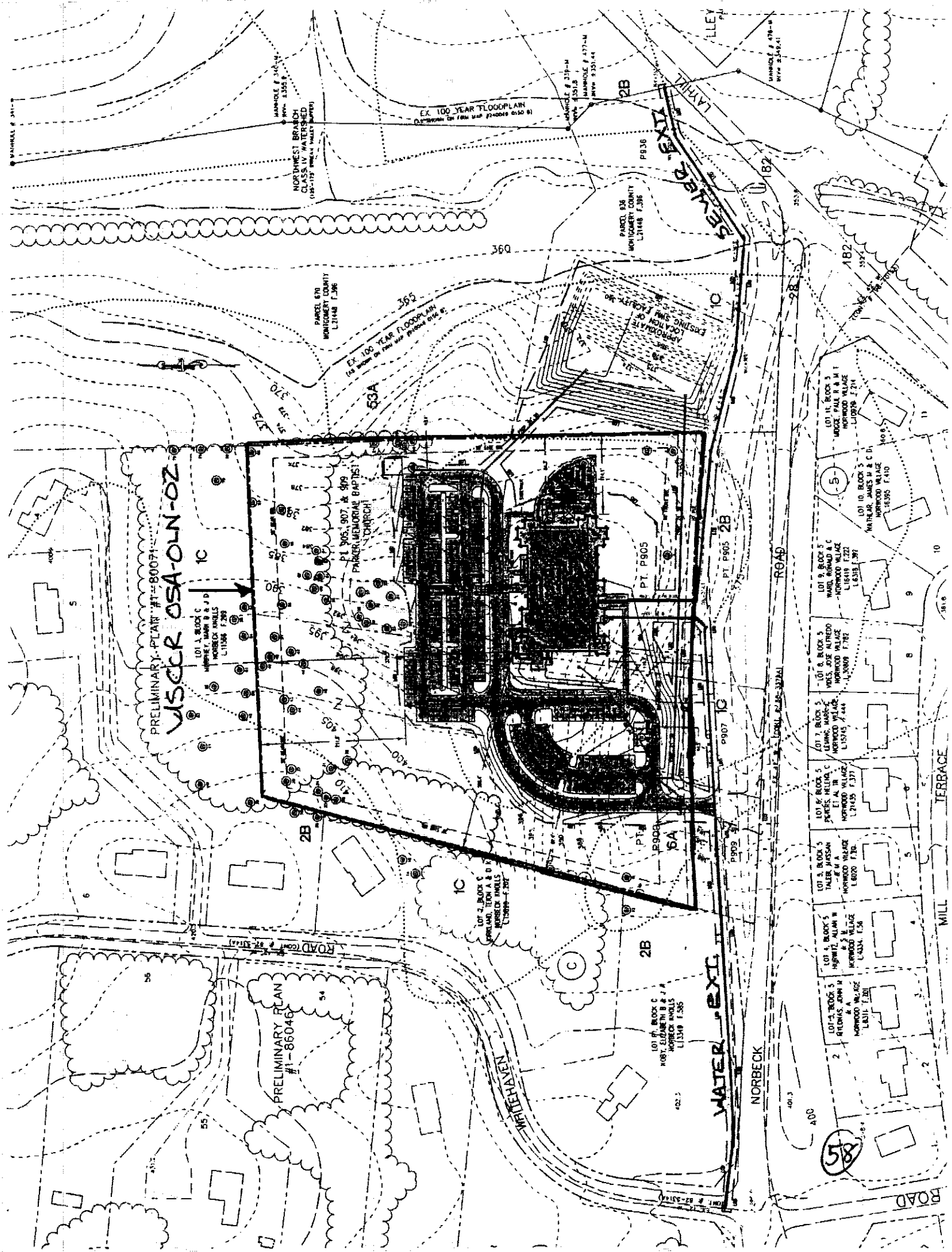


**JUNE 2003 UPDATE**  
**SERVICE AREA CATEGORIES MAP**  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan

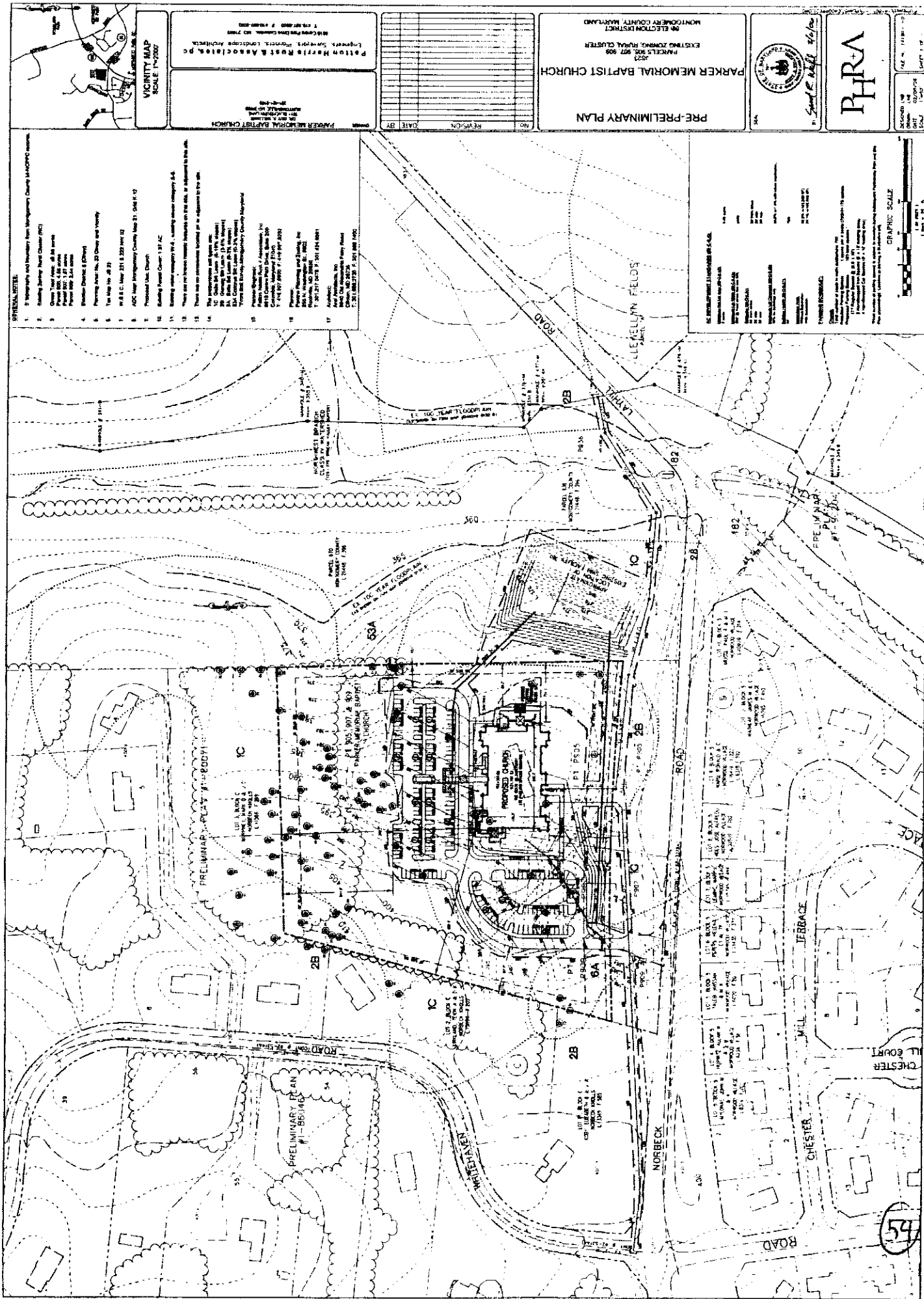


Water and Wastewater Policy Group  
7/28/05 - GIS Project File:  
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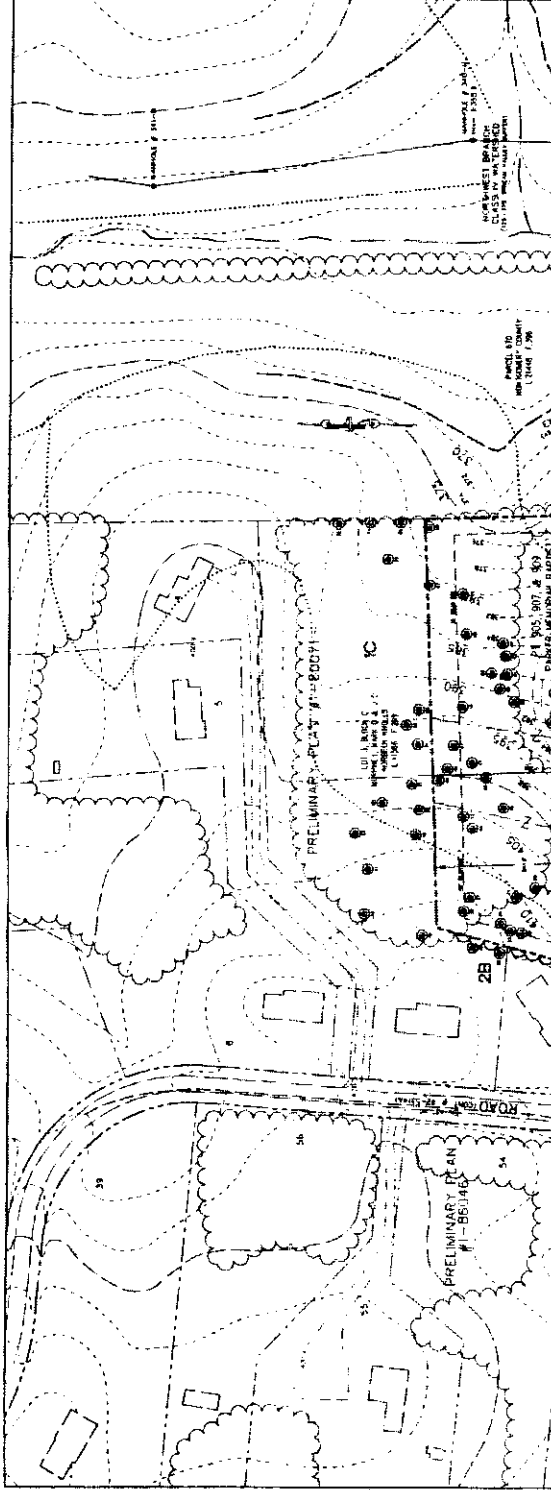
57







- SPECIAL NOTES:**
1. Topography and Boundary Line Management: County (A) and (B) are shown.
  2. Existing Survey: Survey (A) and (B) are shown.
  3. Owner: The owner is the Parker Memorial Baptist Church.
  4. Project: The project is the Parker Memorial Baptist Church.
  5. Planning: The planning is for the Parker Memorial Baptist Church.
  6. H.R.C. Map: The H.R.C. Map is for the Parker Memorial Baptist Church.
  7. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  8. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  9. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  10. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  11. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  12. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  13. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  14. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  15. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  16. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  17. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  18. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  19. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.
  20. A.C. Map: The A.C. Map is for the Parker Memorial Baptist Church.



**PRELIMINARY PLAN**

PARKER MEMORIAL BAPTIST CHURCH

EXISTING ZONING: RURAL CLUSTER

PARCEL NO. 877 908

5523

MONTGOMERY COUNTY, MARYLAND

98 ELECTRON DISTRICT

DATE: 02/20/04

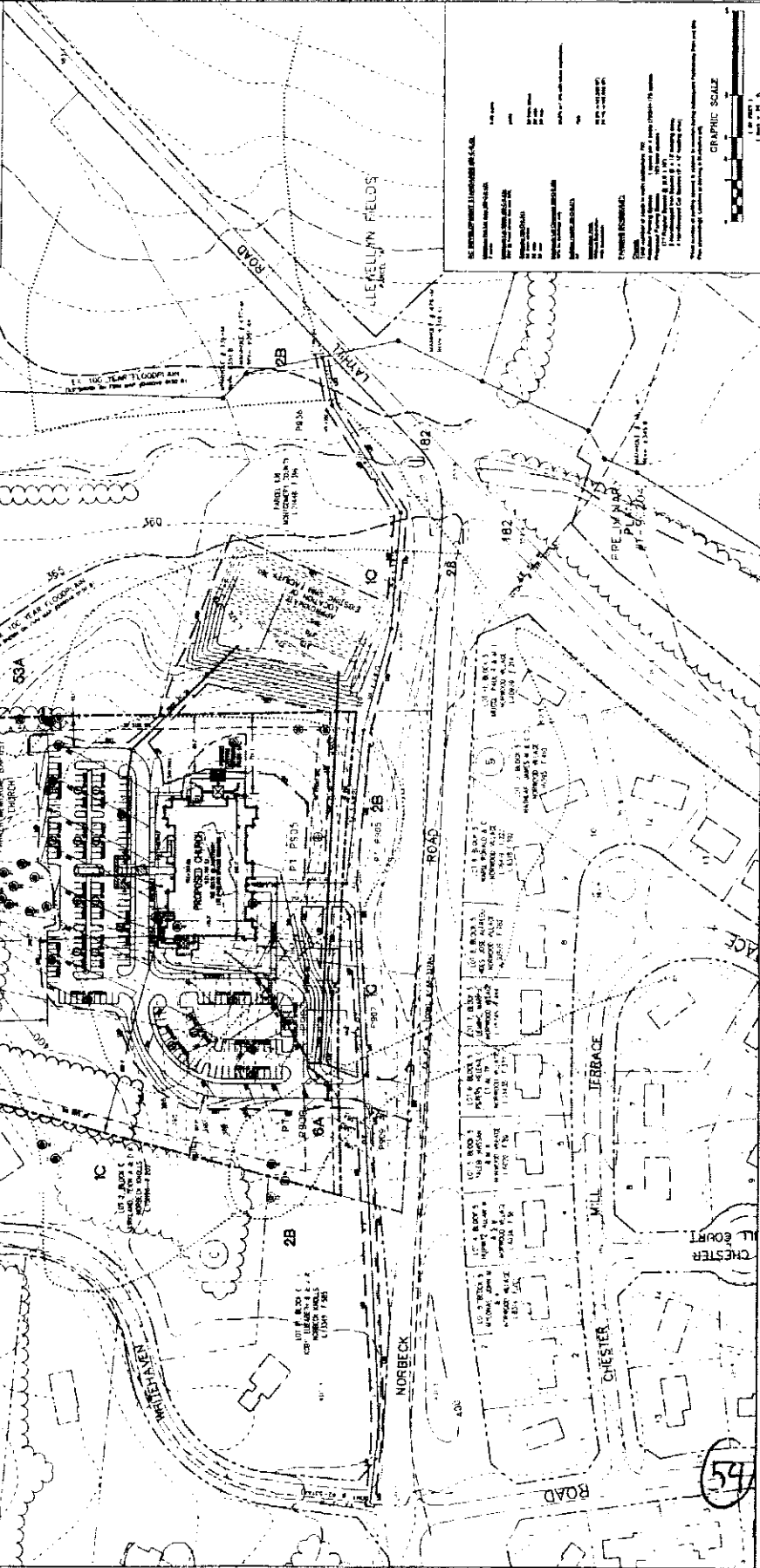
SCALE: 1" = 40'

DATE: 02/20/04

SCALE: 1" = 40'

DATE: 02/20/04

SCALE: 1" = 40'



# Batchellors Forest East Tributary Subwatershed Map WSSCR 05A-OLN-02 (Parker Memorial Baptist Church)



0.2 0 0.2 0.4 0.6 0.8 1 Miles

## MAP LEGEND

- Property
- Buildings
- Roads - Parking
- Streams
- Ponds
- Batchellors Forest East Tributary Subwatershed
- Parks
- M-NCPPC Subdivision Plans



## WATER / SEWER CATEGORY MAP AMENDMENT

Montgomery County, Maryland  
2003 - 2012 Comprehensive Water  
Supply and Sewerage Systems Plan



Water and Wastewater Policy Group  
3/27/06 Update -- GIS Project File:  
o:\wteam\wscrs-pa\olney\2005ccrs\05a-oln-02=parker\_mem\_bap\_church=ws.apr

60



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan  
County Executive

James A. Caldwell  
Director

MEMORANDUM

March 14, 2006

TO: Keith Levchenko, Legislative Analyst  
County Council

FROM: Alan Soukup, Senior Planner, Water and Wastewater Policy Group  
Department of Environmental Protection

SUBJECT: Updates Concerning the Executive's January 2006 Amendment Packet

Please be advised of the following updates to the category change requests included in the Executive's January 2006 transmittal packet of Water and Sewer Plan amendments:

**WSSCR 04A-LSN-01** (Natelli Communities/Barmakian): The owner, Mr. Barmakian, advised DEP on Mar. 10, 2006, that he wishes to withdraw the category change request. A copy of his e-mail correspondence is attached.

**WSSCR 05A-PAX-04** (Saffran/Wooten): The applicant, Mr. Saffran, advised DEP on Feb. 8, 2006, that he wishes to withdraw the category change request. A copy of his correspondence is attached.

**WSSCR 04A-PVE-01** (Winchester Homes/Schraf): At the suggestion of DEP staff, the Town of Poolesville provided updated information concerning the status of this request on Feb. 14, 2006. Based on this new information, we have revised our position to recommend approval of categories W-3 and S-3. We have also added an advisory note concerning the environmental impacts of the project on the Broad Run Watershed. A copy of our updated report and recommendation is attached.

**WSSCR 05A-OLN-02** (Parker Memorial Baptist Church/Jones Estate): The Executive recommended deferral of this request pending the applicant's preparation of a development plan showing impervious surfaces. The applicant has prepared a plan which is currently involved in the County's development review process. We will work to have copies of and information from this plan available for the upcoming T&E Committee meeting on Mar. 30, 2006.

If you have any questions concerning these comments, please do not hesitate to contact me.

ADS:ads/R:\...CWSP-AMEND\COUNCIL\packets\2000s\2006jan\hearing\ads-kl-mmo=031406=updates.doc

Attachments



Office of the Director

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850-2589 • 240/777-7770, FAX 240/777-7765

(61)

cc: Mary Dolan, Community-Based Planning/Environmental Unit, M-NCPPC  
Paul E. Kuhlman, II, President, Commissioners of Poolesville  
Wade Yost, Town Manager, Poolesville  
Catherine Matthews, Director, Upcounty Regional Services Center  
Dave Lake, WWPG, DEP

March 10, 2006

Alan Soukup  
Senior Planner  
Montgomery County Department of Environmental Protection  
Water and Wastewater Policy Group  
255 Rockville Pike  
Suite 120  
Rockville, Maryland 20850-4116

Tele No. 240-777-7700

FAX No. 240-777-7773

RE: Public Hearing on Requested Water/Sewer Category Map Amendments, Tuesday,  
March 14, 2006 7:30 PM, Seventh Floor Hearing Room, Stella B. Warner "Council Office"  
Building.

WSOOR 04A - LSN - 01  
Toll Brothers, Inc. (For Stephen H. Barmakian). Natelli Communities Replaced Toll  
Brothers, Inc., As The Applicant. Also, Natelli Communities Released said Contract  
and No Longer Contract Purchaser. Copy of Contract property release enclosed.

Stephen H. Barmakian, Property Owner,

Parcel P582, Friend In Need, Tax Maps EW 121/122; WSSC Grid 232/233 NW14

Residence Address:

Stephen H. Barmakian  
142 Forest Street  
Watertown, Massachusetts 02472-1897

Action To Be Taken and Remarks:

Since Tom Natelli of Natelli Communities, the Contract Purchaser, Released his  
Contract with me last year, 2005, and as the Property Owner, Stephen H. Barmakian,  
I hereby request, at this time, the Application for Category Change be  
"Withdrawn Without Prejudice."

Please enter this statement into your official record and confirm the same to me.  
Thank you.

*Stephen H. Barmakian*  
Stephen H. Barmakian  
142 Forest Street  
Watertown, Massachusetts 02472-1897

Tel: (617) 924-5942

Allan Soukup  
DET 255 Rockville Pike Suite 120  
Rockville MD 20850 4166

RECEIVED

FEB 03 2006


Environmental  
Protection

RE: Request withdraw category change of case # WSCCR 05A-PAX-04

Dear Allan,

Please withdraw my father-in-laws lot (Wootten Subdivision 23212) from water and sewer category change review. After meeting with WSSC the 1inch tap that is shown on their plan they can not confirm exists, and if it did would not be enough to reach the location where the house will sit. We would like it to stay well and septic.

Sorry for any inconvenience,



Steve Saffran  
4238 Sandy Spring Rd  
Burtonsville MD 20866

(64)

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

**Town of Poolesville – Background:** Requests to change water and sewer service area categories within the county's municipalities, including those such as Poolesville that maintain their own planning and zoning authority, are included in the county-wide Water and Sewer Plan. State law directs the County to incorporate the water and sewer planning accomplished by the municipalities into the County Plan. In this regard, DEP's evaluation of category change requests filed for properties within the town must rely substantially on planning and utility recommendations provided by the Town government.

TOWN OF POOLESVILLE – POOLESVILLE PLANNING AREA		
Map Amendment No. Applicant (Owner) Site Information & Development	Applicant's Request/Explanation: Service Area Categories Existing      Requested	Reviewing Agency Comments (WSSC main extensions are non-CIP sized unless specified )
<b>WSSCR 04A-PVE-01</b> <b>Winchester Homes (for Dennis Schraf, et al.)</b> <ul style="list-style-type: none"> <li>Whites Ferry Rd. – Parcel P780, Mount Pleasant</li> <li>Map tile: 224NW20; CT122</li> <li>West side of West Willard Rd., between Whites Ferry Rd. (MD 108) and Westerly Rd.</li> <li>Town of Poolesville Master Plan (2005)</li> <li>Broad Run Watershed (MDE Use I)</li> <li>R-3/4* Zone; 101.29 ac.</li> <li>Existing use: agricultural</li> <li>Proposed use: 98-lot single-family residential subdivision</li> <li>Poolesville zoning: residential for ¾-acre lots</li> </ul>	W-6      W-3 S-6      S-3  <u>Applicant's Explanation:</u> "Applicant seeks category change request for the future subdivision of the property into single family residential dwelling unit lots."  <ul style="list-style-type: none"> <li>The State has issued the discharge permit for the WWTP expansion to 725,000 gallons per day. (Note: This was an error in the prior letter.) The litigation, which was delaying implementation of the new permit, has been resolved and is no longer an issue.</li> <li>The subdivision plan is currently pending the Town's conditional approval, with only the County's approval of a stormwater concept plan outstanding.</li> <li>The Town will work within its development process framework to ensure that "adequate facilities are in place prior to water and sewer allocations, with the burden to supply these facilities to be borne by the developers."</li> </ul>	<u>Poolesville Update (3/13/06):</u> As a result of a meeting in late Jan. between DEP staff and representatives of the Town and the applicant, the Town provided DEP with updated information concerning this project on Feb. 14, 2006. The most significant status changes are summarized as follows:  <ul style="list-style-type: none"> <li>The Town has two new municipal wells in the permit review process with the State.</li> </ul>
<p><u>Original Comments from Poolesville – Town of Poolesville</u> (summarized from Nov. 14, 2005, letter-circle pgs. 18-19)</p> <p><u>Master Plan:</u> The project is consistent with growth and development staging proposed in the Town's 2005 master plan update, which calls for the population to expand from 5,167 to a maximum of 6,500 supported by approximately 420 new homes. The Town is working to resolve public water and sewerage system issues which will allow for the future development proposed by the 2005 master plan. However, at this time, the Town informed DEP that it cannot reasonably project a schedule for the resolution of these issues. (See below for specific discussions.)</p> <p><u>Water:</u> Adequate public water supplies for projected growth are pending the addition of several new municipal well sites. While the Town has identified and is actively pursuing new well sites, it does not have a timetable set for the expansion of the public water system to support this and other planned projects.</p> <p><u>Sewer:</u> The Town has completed the expansion and upgrade of the Poolesville Wastewater Treatment Plant (WWTP). These improvements and ongoing inflow and infiltration (I&amp;I) control efforts are expected to allow the Town's transmission and treatment systems to satisfy the master plan's projected growth. The Town informed DEP that due to ongoing litigation, the Maryland Dept. of the Environment has not issued a new Wastewater Discharge Permit for the expanded plant. When the permit is issued, it will allow the WWTP to increase discharges from 625,000 to 725,000 gallons per day.</p> <p><u>M-NCPPC:</u> Since this is within the corporate limits of Poolesville, it is not controlled by a county master plan; however, the configuration of new sewer lines must be examined to assure that adjacent properties in the County's RDT zone are not affected. In addition, this property is in the headwaters of Broad Run, a watershed designated for protection under the County's Legacy Open Space Functional Master Plan. All new sewer lines should be placed to avoid the stream buffer and adjacent contiguous forest. W-3 and S-3 are recommended, but conditioned on avoidance of the stream buffers and contiguous forest.</p> <p><u>3/13/06 M-NCPPC Review Addendum:</u> The final M-NCPPC staff report raises the preceding issues, but concludes that the request should be <i>denied</i> pending their resolution. On Jan. 26, 2006, the Planning Board considered the staff recommendation. The Board acted to recommend deferral of this request pending the resolution of the issues raised by the staff report.</p>		



# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

### TOWN OF POOLESVILLE – POOLESVILLE PLANNING AREA

**Recommendation Update (3/13/06):** Approve W-3 and S-3.

Advisory note: M-NCPPC staff have raised concerns regarding the potential environmental affects of this project, which is located in the headwaters of the Broad Run Watershed. Of particular concern are the location and construction of sewer mains and pumping facilities. In the interest of the County's efforts to protect the Broad Run Watershed, the Council strongly urges that the project developer and the Town of Poolesville work in cooperation with M-NCPPC and DEP staff in the development of this project and on the mitigation of its potential environmental impacts.

**Staff Report Update (3/13/06):** In its updated comments to DEP (Feb. 14, 2006), the Town has confirmed that the Winchester/Schraf Property project is part of the Town's development plans, and that the Town is pursuing the improvements and approvals needed to implement the project. The Town has advised that they are not yet ready to allocate available water and sewer taps for the Winchester/Schraf project. These allocations are under the control of the State through the Dept. of the Environment, not the County. The County has a responsibility to incorporate Poolesville's water and sewer planning efforts into the county-wide plan. Given this role and the Town's intentions as expressed to DEP, it is appropriate to recommend categories W-3 and S-3 for the Schraf property. DEP is willing to work with Town officials on a general update of the service area maps for the town, to align them with the Town's overall land use and water/sewer planning efforts.

M-NCPPC staff have raised reasonable environmental concerns with regard to the development of this site in the headwaters of Broad Run. The Planning Board acted in January 2006 to recommend deferral of the request, in part at the applicant's urging, pending a resolution of these concerns. However, it is not appropriate to condition an action on this water/sewer category change request with the resolution of these issues, which need to be addressed through the Town's development review and approval processes. We expect the Town to work willingly with M-NCPPC and DEP staff through its development process to ensure that this project proceeds with the minimum environmental impact possible.

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*Original Recommendation and Report (superseded by the preceding discussion)*

**County Executive Recommendation:** Deny the water and sewer request; maintain W-6 and S-6.

**Executive Staff Report:** The applicant is seeking water and sewer category changes to allow for the provision of public water and sewer service to a proposed 98-lot residential subdivision in the Town of Poolesville. The site is zoned for moderate-density residential development, as is recommended in the Town's 2005 master plan update. The Town has informed DEP that its public water supply and sewerage systems are not yet ready to support the development growth recommended by the new master plan. New well water sources are anticipated but not yet programmed by the Town. Litigation concerning the expansion of the wastewater treatment plant has slowed the progress on needed additional treatment capacity.

The Town of Poolesville has not advised the County the County of a schedule as to when its water supply and wastewater systems will be capable of handling this and other new projects. This request should not move forward until the Town is able to commit to development and infrastructure schedules to which the County can apply its service area category structure. Once this is achieved, the County will accept an application for a new category change request for this project. In addition, the County encourages the Town to work with DEP to develop a general category map amendment based on the Town's new master plan.

66



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Office of the Chairman, Montgomery County Planning Board

February 13, 2006

The Honorable Douglas M. Duncan  
County Executive  
Montgomery County Government  
101 Monroe Street  
Rockville, Maryland 20850

The Honorable George Leventhal  
President  
Montgomery County Council  
100 Maryland Avenue  
Rockville, Maryland 20850

RE: **January 2006 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan***

CASES:

WSSCR 04A-PVE-01  
WSSCR 05A-TRV-06  
WSSCR 05A-TRV-07

Lakewood Estates Health  
Problem Area  
WSSCR 05A-OLN-02

WSSCR 05A-PAX-04  
WSSCR 05A-TRV-02

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Dear Mr. <sup>Doug</sup>Duncan and Mr. <sup>George</sup>Leventhal:

On Thursday, January 26, 2006, the Montgomery County Planning Board considered seven water and sewer service area category change applications as part of the **January 2006 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan***. The Montgomery County Planning Board unanimously concurred with the County Executive Recommendation on six applications, two of those with comments, for transmittal to the County Council and County Executive. The Planning Board recommended deferral rather than denial in one case where the Executive recommended denial.

The January 2006 transmittal contains eight proposed water and sewer map amendments, including one already considered by the Planning Board (WSSCR 04A-LSN-01, Barmakian). The January 2006 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan* applications have been reviewed for consistency with water and sewer

The Honorable Douglas M. Duncan  
The Honorable George Leventhal  
February 13, 2006  
Page 2

service recommendations within their respective master plans. Staff recommendations are based on master plan guidance and other policies within the *Comprehensive Water Supply and Sewerage Systems Plan*.

Unlike applications considered under the Administrative Delegation process, these applications must be forwarded to the County Council for action. The Planning Board is required by state law to provide land use and zoning input on these amendments. Planning Board recommendations are forwarded to the Council via this letter prior to public hearing record closure and in time for the T&E worksession on March 13, 2006.

A brief summary of the applications follows:

**Unanimous agreement with the Executive**

WSSCR 05A-PAX-04  
WSSCR 05A-TRV-06  
WSSCR 05A-TRV-07

Steve Saffron  
Laurana Coleman Reed  
Vincent Burnett

**Unanimous agreement with the Executive with comments**

**Lakewood Estates Health Problem Area**

The Planning Board unanimously recommends approval of the category change, but asks that all the property owners be informed of the potential implications of extending sewer to the entire neighborhood as part of the notification process.

**WSSCR 05A-OLN-02**

**Parker Memorial Baptist Church**

The Planning Board supports the Executive recommendation to defer action on the water and sewer category change. While the Executive based his request on the need for a conceptual layout, the Planning Board had additional concerns. Subsequent to the preparation of the Executive's packet, the applicant did produce a conceptual layout plan two days before the Planning Board packet was prepared. The Planning Board reviewed the case with the conceptual plan and was concerned about the amount of imperviousness proposed (28-30%). The Planning Board asked that a pre-preliminary plan (under Section 50-33A) be submitted that is consistent with the master plan and keeps imperviousness below 20% unless the Planning Board concludes that a greater percentage is acceptable. The Planning Board, while recommending deferral, wishes to reconsider this case as soon as the information is available.

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The Honorable Douglas M. Duncan  
The Honorable George Leventhal  
February 13, 2006  
Page 3

### **Disagreement with Executive's Recommendations**

#### **WSSCR 04A-PVE-01      Winchester Homes**

The Planning Board heard the testimony of the applicant that they have reached agreement with the Town of Poolesville, and that the Town is finalizing their permit issues with the state of Maryland regarding capacity to serve this new development in Poolesville. The applicant has requested that their application be withdrawn from consideration at this County Council session and considered at a later date when the Town has resolved all the issues with the state and determined the appropriate category for service under the *Comprehensive Water Supply and Sewerage Systems Plan*. The Planning Board unanimously recommended **deferral** of the case until the issues are resolved.

#### **Community Service to Relieve a Health Problem**

The Planning Board had considerable discussion regarding the process for determining a health problem and the appropriateness of allowing the immediate extension of sewer in non-emergency situations. There is concern that these incremental sewer extensions can significantly alter neighborhood character and cause environmental impacts. The Planning Board would like to discuss this issue as part of the next comprehensive amendment to the *Comprehensive Water Supply and Sewerage Systems Plan*.

We thank you for the opportunity to provide recommendations on these cases.

Sincerely,



Derick P. Berlage  
Chairman

DPB:MD:ss  
Attachment

cc    Keith Levchenko, Montgomery County Council  
      David Lake, MCDEP  
      Alan Soukup, MCDEP  
      Jorge Valladares, M-NCPPC Environmental Planning  
      Mary Dolan, M-NCPPC Environmental Planning

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January 20, 2006

## MEMORANDUM

TO: Montgomery County Planning Board

VIA: Gwen Wright, Acting Chief *GWMW*  
Countywide Planning Division

Jorge A. Valladares, P.E., Chief *JAV*  
Environmental Planning/CWP

FROM: Mary Dolan for the Department of Park and Planning *MD*  
(301) 495-4552

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply and  
Sewerage Systems Plan — AD 2006-1 and January 2006

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## RECOMMENDATION

Approve as recommended for each case and transmit to the Council and Executive for final action.

## DISCUSSION

This staff memorandum contains recommendations for category changes presented in two groups by the Department of Environmental Protection staff on behalf of the Executive.

- Cases going to the County Council for action in February (January 2006 packet)
- Cases going to an Administrative Hearing on January 31, 2006 for Executive action (AD 2006-1 packet)

The Planning Board may request that any case scheduled for administrative hearing and Executive action, be referred for County Council action if there are significant issues.

In all the January 2006 and AD 2006-01 cases, the Park and Planning Staff agrees with the Executive's recommendations.

## **Discussion**

Staff is working with the Department of Environmental Protection Staff to simplify the process for bringing proposed water and sewer category changes to the Planning Board for recommendations. When possible, staff proposes to package items that are scheduled for administrative hearings and County Council consideration at the same time to consolidate the discussion of these items. On occasion, however, the timing of action may require individual cases to come to the Board between packages.

Continuing the streamlining effort, the staff report will only highlight cases where staff recommendations differ from the Executive's recommendation, or where significant comments should be brought to the attention of the Board. Staff's comments on all cases have been incorporated into DEP's packet along with the comments of other agencies. The full packet for County Council action and administrative hearings are attached for your consideration or further comment beyond the staff report.

If any of the items scheduled for administrative hearing raise issues for the Planning Board, the Board may request that those items be referred to the County Council with a recommendation for approval, deferral or denial. If the Board concurs with the Executive's opinion to recommend approval, the cases will be decided subsequent to the administrative hearing on January 31, 2006. Planning staff concurs with the DEP recommendation for approval of the administrative packet (AD-2006-1) with the comments noted.

The County Council will receive the January 2006 packet this week and schedule a public hearing for sometime in February. After the hearing, the Council's Transportation and Environment Committee will discuss the cases and send their recommendations to the County Council.

## **County Council Packet Issues**

Two cases in the Council packet merit further explanation:

- **WSCCR 04A-LSN-01**  
Natelli Communities (for Stephen Barmakian)  
See circle page 1-10 of the Executive Packet

Zone: R-200

Size: 20.91 acres

Proposed Use: 41-lot residential subdivision

The Planning Board considered this case in October of last year and recommended denial. The Planning Board letter is included in the packet going to the County Council and is attached at circle 6. No additional action is necessary or recommended.

- **WSCCR 04A-PVE-01**  
Winchester Homes (for Dennis Schraf, et. al.)  
See circle page 15-21 of the Executive Packet

Zone: Town of Poolesville

Size: 101.5 acres

Proposed Use: Residential Property Subdivision within the Town of Poolesville

Since this is within the corporate limits of Poolesville, it is not controlled by a county master plan; however, the configuration of new sewer lines must be examined to assure that adjacent properties in the County's RDT zone are not affected. In addition, this property is in the headwaters of Broad Run, a watershed designated for protection under the County's Legacy Open Space Functional Master Plan. All new sewer lines should be placed to avoid the stream buffer and adjacent contiguous forest.

The County Executive recommends denial of this request due to the information received from the Town of Poolesville that its public water supply and sewer systems are not yet ready to serve this development and no schedule is forthcoming. **Planning staff recommends denial** until it is shown how the service would be provided and what impact can be expected to the Broad Run stream watershed.

- **WSCCR 05A-OLN-02**  
Parker Memorial Church  
See circle page 47-57 of the Executive Packet

Zone: RC  
Size: 8.4 Acres  
Proposed Use: Institutional

The 2005 Olney Master Plan does not include this property in its proposed sewer envelope. The applicant is proposing a private institutional facility (PIF). Because no preliminary plan has been filed, the compatibility of the use with adjacent low-density residential areas cannot be determined. The master plan recommends minimizing imperviousness in the Batchellors Forest Tributary and maintaining the existing forest cover to protect the stream quality.

The County Executive recommends deferral of this item until a conceptual plan is received in order to determine the potential imperviousness. A concept plan was received in the interim since DEP prepared their packet showing a layout that removes a large area of forest on the site and proposes about 28-30% imperviousness. This level is considerably higher than residential development at this density would be (8-10%) and even higher than approved by the County Council for the Lutheran Church of St. Andrew or the People's Community Baptist Church (25%). The Zoning Text Amendment (ZTA) proposed by the Planning Board recommended a 20% imperviousness cap for the RC zone. The County Council has asked for more information from the PIF Working Group before taking action on the ZTA. No preliminary plan has been filed for Parker Memorial Church as yet, and may differ from the conceptual plan that we have received (see circle 78).

**Planning staff recommends deferral of the case** until there is time to study the imperviousness in the context of the rest of the Batchellors Forest East tributary in light of the approved and adopted Olney Master Plan and to recommend an imperviousness cap for the site.

If this item is deferred, it would be included in the spring packet that would come back to the Planning Board for further deliberations, preferably with a preliminary plan submittal that would give additional information regarding the ultimate layout of the site, compliance with the Forest Conservation law and a conceptual stormwater management plan.



## **Potomac Peripheral Sewer Service Policy**

A number of cases in Potomac have recommendations that depend on the peripheral sewer service policy. The Planning staff recommends concurrence with the DEP staff interpretation of that policy with regard to the cases presented in the administrative and the County Council packet. The 2002 Potomac Subregion Master Plan recommends the use of a "peripheral sewer service policy" in evaluating service area change requests for properties located near the edge of that plan's recommended public sewer envelope. In this, the master plan recognized that the existing public sewer service area in the Potomac Subregion has grown on the basis of individual requests, rather than by comprehensive amendments, creating an irregular and sporadic envelope. The new master plan proposes the use of the following criteria in evaluating these requests:

- The subject property should abut or confront the edge of the recommended public sewer envelope; and
- The main extensions needed to serve these properties should avoid streams, stream buffers, and other sensitive environmental features, preferably running within existing or proposed public rights-of-way.

In reviewing the following cases, MCDEP and M-NCPPC staff also considered these additional criteria that they felt were relevant to a comprehensive evaluation:

- The number of additional properties, developed and undeveloped, abutting the proposed sewer main extension;
- The extent to which other front-foot benefit assessment (FFBA) payers would subsidize the main extension costs for those abutting properties not required to pay assessments under WSSC's current policies;
- The extent to which the extension opens up service to other abutting properties not otherwise eligible for public sewer service; and
- The actual need for public sewer service.

Note that under the master plan's peripheral service proposal, the approval of any of these amendments does **not** constitute an expansion of the recommended Potomac Subregion public sewer envelope.

### **Public Outreach**

As part of our effort to improve notification and communication with residents and communities, this proposed action was placed on the Planning Board's agenda two weeks in advance of the item and notices were mailed to the applicants, adjoining and confronting property owners, and to Homeowner's and community organizations near the proposed category change requests. Information has been posted on the DEP web site with links to the Planning Board agenda, and the notifications have included the DEP web site location for further information. Staff has taken calls from those receiving notifications indicating their thanks for the information.

We will continue to coordinate notification with DEP staff to broaden the process and identify the best means of improving outreach to communities.

MD:ss  
Attachment

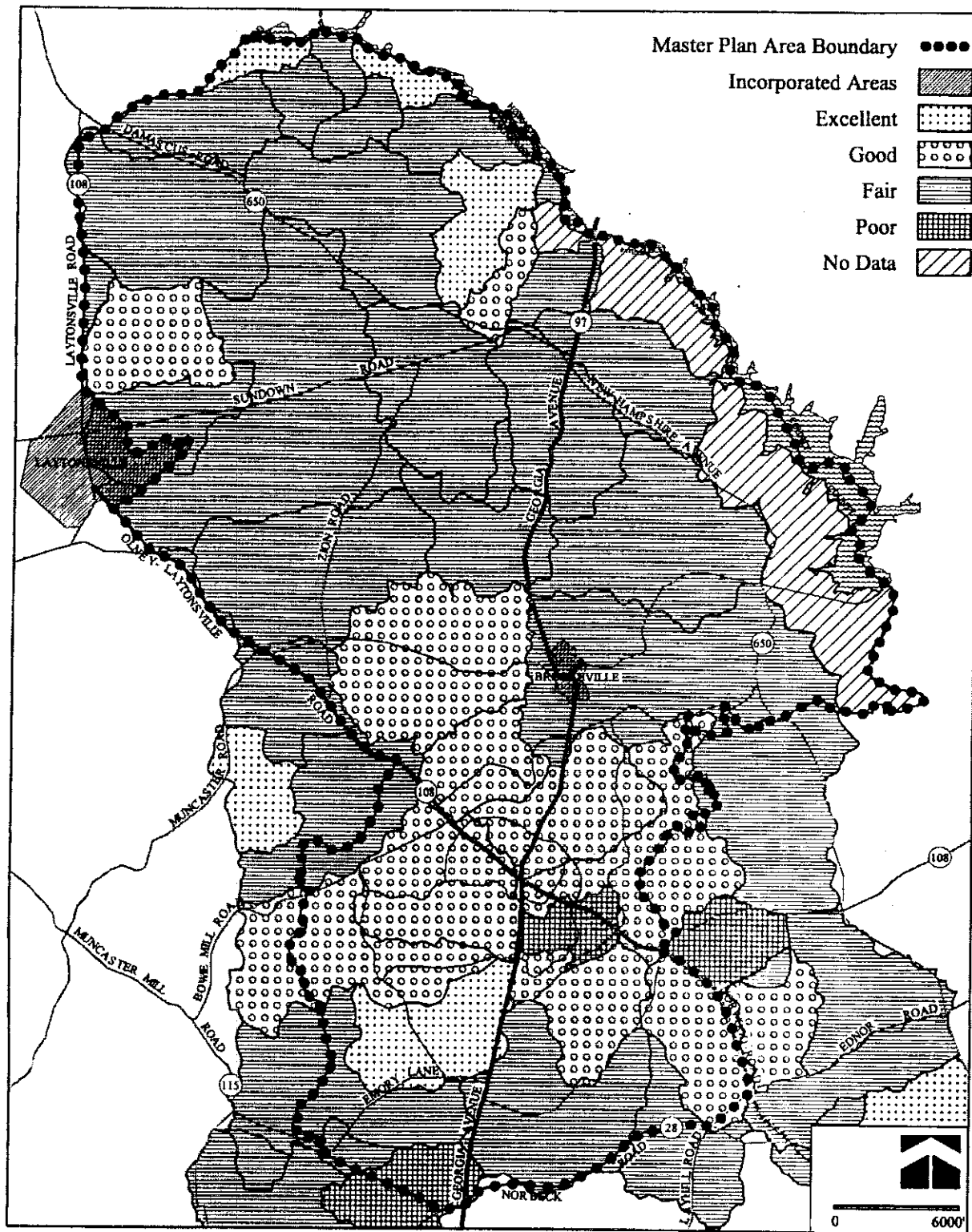
2. **Encourage WSSC and Pepco to manage properties to support a diversity of wildlife habitats and species.**
3. **Identify wetland resources in Olney's public lands, including M-NCPPC parkland, that have low overall wetland functional values and identify and implement restoration projects for these resources.**
4. **Restore forest and wetlands to enhance park resources on newly acquired parkland where appropriate.**
5. **Evaluate non-forested parcels acquired as parkland, especially former cropland, pasture, and hayfields, for possible restoration and management by the M-NCPPC as grassland and/or shrub habitat to promote a diversity of wildlife species.**
6. **Minimize impacts to biodiversity areas due to disturbance, fragmentation, or damage to buffer areas.**
7. **Avoid damage to groundwater resources for biodiversity areas by limiting imperviousness in areas that drain to biodiversity areas.**
8. **Designate the Hawlings River, Reddy Branch, the Northwest Branch and North Branch Rock Creek Stream Valley Parks as greenways for purposes of State and federal funding for park acquisition or trail construction.**

## **WATER RESOURCES**

Stream quality varies throughout the Master Plan area, with generally better water quality than in many developed areas of the County. County and statewide efforts to improve water quality in tributaries have influenced the general approach to water resource protection in the area. These efforts include the 1983 Chesapeake Bay Agreement and subsequent agreements, the 1992 State Planning Act, and the 1997 Smart Growth Act that gives financial incentives to local governments to promote concentrated growth and avoid sprawl.

Montgomery County has undertaken a number of measures to protect water quality. The 1998 Countywide Stream Protection Strategy (CSPS) and the 2003 Update evaluated water quality conditions throughout the County, placing each subwatershed in a management category with corresponding tools to address stream conditions. The CSPS designates management categories that indicate the degree of protection or restoration needed. Management strategies recommended for watershed protection areas in the CSPS and employed in this Master Plan include: expanded stream valley park acquisition or dedication, increased forested buffer requirements, expanded protection for wetland recharge and hydrology, and impervious surface reduction strategies.

# Stream Quality



Management strategies for restoration and agricultural watershed management areas in this Plan include support for County efforts in stream restoration and retrofit projects; measures to increase forested buffers and wetland habitat and function; application of existing stormwater, sediment control, wetlands and forest conservation regulations; and targeting of priorities for Best Management Practice cost-sharing and forested buffer establishment.

Relatively little new development is proposed by this Master Plan. The existing zoning and land use policies have served to limit development in the drinking water reservoir watersheds. The majority of the potential residential development is in the Southeast Quadrant, which contains the headwaters of the Northwest Branch. The North Branch of Rock Creek in Olney contains only a small amount of developable area. One of the goals of this Master Plan is to control water quality impacts of new development by adopting land use and zoning recommendations that result in imperviousness levels compatible with the existing water quality in each subwatershed.

Since 1980, much progress has been made in stormwater quality and quantity management. New techniques and options now exist that integrate innovative BMP's with site design to limit imperviousness and maximize the infiltration and treatment of runoff. Development using these new techniques is generally known as Environmentally Sensitive Development (ESD) or Low-Impact Development (LID). This new approach to development is generating much interest throughout the country and has been recognized by the state of Maryland in its new Stormwater Management regulations. These regulations have been adopted by Montgomery County. ESD is recommended in this Master Plan to afford a higher level of environmental protection, especially in more sensitive areas, than has been available in the past.

The Montgomery County Department of Environmental Protection (DEP) has undertaken a series of studies to determine how to address existing stream quality problems in various watersheds. The Upper Rock Creek Restoration Study (DEP, 2001) and the Hawlings River Watershed Restoration Study (DEP, 2003) both have recommendations for stream restoration and stormwater management improvements that could reduce damage done by past development. These improvements, complimented by the land use recommendations of this Plan and existing environmental regulations, should combine to minimize the impact of new development on the streams of Olney.

The Northwest Branch of the Anacostia River is part of a long-standing effort on the part of the U.S. Army Corp of Engineers, State and local agencies to improve conditions in this largely developed watershed. Several projects are underway and more are planned, mostly downstream of the Master Plan area.

#### **Recommendations:**

1. **Encourage new developments to use environmentally sensitive development techniques that integrate BMP's that maximize stormwater treatment and infiltration, such as:**
  - a. **Minimization of impervious surfaces;**
  - b. **Disconnection of runoff, sheet flow to buffers, grass channels; and**
  - c. **Bioretention**

2. **Encourage pollution prevention measures in conjunction with these techniques, to further enhance their effectiveness.**
3. **Endorse the Montgomery County Department of Environmental Protection efforts to restore streambanks and to control stormwater from existing development.**

#### **Patuxent River and Hawlings River Watersheds**

The Olney Master Plan Area includes a portion of the Patuxent River mainstem watershed and the entirety of the Hawlings River watershed, a major tributary of the Patuxent River. The planning area portion of the Patuxent River mainstem watershed drains to the Triadelphia Reservoir and the Hawlings River joins the mainstem downstream of the Triadelphia Reservoir. Water from the Hawlings River combines with that from the mainstem to fill the Howard T. Duckett Reservoir further downstream, outside the Master Plan area. Both reservoirs are part of the drinking water system maintained by the Washington Suburban Sanitary Commission for service to Montgomery and adjacent counties.

The Patuxent River and Hawlings River watersheds are the focus of a multi-jurisdictional effort to protect the area draining to the reservoir watersheds. Montgomery County has adopted the Patuxent River watershed Functional Master Plan that delineates a Primary Management Area (PMA) limiting use within 1/4 mile from the Mainstem and 1/8 mile from all tributaries. In low-density zones, this area is restricted to 10 percent imperviousness. In areas with existing zoning allowing densities greater than one dwelling unit per two acres (RE-2), best management practices are required to mitigate the impacts of higher densities. See the Land Use Chapter for more detailed discussion of protection of environmental resources in the Patuxent watershed.

#### **Recommendations:**

1. **Protect forested areas and wetlands that contribute to the health of the drinking water supply through the development process and applicable conservation programs.**
2. **Encourage application of agricultural conservation measures and best management practices.**
3. **Support efforts to restore stream and retrofit stormwater facilities through the Department of Environmental Protection watershed restoration program.**
4. **Endorse the Montgomery County stream restoration and retrofit projects proposed by the Hawlings River Watershed Restoration Study.**
5. **Encourage application of agricultural conservation measures and best management practices.**

6. **Coordinate the Legacy Open Space Program with the Washington Suburban Sanitary Commission and the Patuxent Reservoir Protection Group to identify properties for potential purchase in fee or easements that contribute to protection of the drinking water reservoirs.**
7. **Work with the Maryland Department of Natural Resources to develop an agreement to assure that farming leases in the Patuxent State Park do not contribute substantially to the sediment and nutrient loads to the reservoir.**

#### **Northwest Branch**

Protection of the current low-density, semi-rural nature of the Southeast Quadrant of the Master Plan area is particularly important because it contains two of the main tributaries forming the headwaters of the Northwest Branch: Batchellors Forest and Batchellors Forest East Tributaries. These stream systems are in relatively good condition and are supported by relatively uninterrupted forested stream valley buffers with forested areas in the headwaters of the first order streams.

Management strategies recommended in the Countywide Stream Protection Strategy include restoration of stream conditions to address problems caused by past development and to provide the stability to accommodate the small, incremental impacts of expected development. Protection of these resources is essential to the health of the stream and wildlife habitat. Many interruptions in the stream buffer can be restored as part of the development process on vacant and redevelopable property. This effort, along with projects identified in the Anacostia River Restoration Study, will provide the remedial management indicated in the CSPA.

Two small streams that flow into the Batchellors Forest tributary from the west will be affected by any construction in the Intercounty Connector (ICC) right-of-way. At least three separate stream crossings will be required, depending on the roadway design. In addition, the right-of-way parallels two stream segments in the headwaters of these streams, potentially affecting large portions of the stream buffer. Forest loss and fragmentation will result from any construction, particularly in the westernmost tributary, further affecting the water quality.

The Batchellors Forest tributary is the westernmost tributary headwater watershed of the Northwest Branch and a Use IV stream. Stream conditions and projected imperviousness are similar to those in other parts of the Northwest Branch headwaters in Sandy Spring and of lower quality than those in Cloverly which were not designated SPA's in previous master plans. The Batchellors Forest tributary is listed as fair and good (although the good scores are low in the good range), and is not considered as "high quality or environmentally sensitive" as currently interpreted. In terms of the CSPA, its quality is similar to many subwatersheds in suburban and rural areas of the County. While the amount of change in imperviousness could be significant between now and build-out, the stream quality should easily stay within the fair range given the relatively low build-out imperviousness. Unfortunately, many of the increases in imperviousness are associated with major road

projects as well as private institutions that have been approved or have applied for approvals under the existing Master Plan.

The environmental protection strategy in the Batchellors Forest tributary includes the application of the RNC Zone to secure almost all of the existing forest, planting of new forest along unprotected stream buffers through development and forest banking, and wetland and forest habitat enhancement associated with the redevelopment of the Trotter's Glen Golf Course. The application of the RNC Zone also allows more units to be constructed with less imperviousness than the existing zoning would have yielded. While some benefits would result from application of a Special Protection Area with an 8% imperviousness cap, it would not significantly reduce the potential imperviousness in this subwatershed nor likely affect the overall stream conditions. An SPA or overlay zone with an imperviousness cap is not recommended for this area.

Recommendations regarding specific actions to protect water quality on particular properties are included in the Land Use Chapter.

#### **Recommendations:**

- 1. Restore stream buffers and wetlands through the development process.**
- 2. Maximize forest retention and new forest planting in and adjacent to environmental buffer areas through conservation easements as part of the development process.**
- 3. Improve and restore parts of the Batchellors Forest stream valley by reducing or eliminating invasive plants and removing old dumping areas. Encourage voluntary stewardship efforts by property owners in areas in need of restoration that lie on already subdivided private land. Some areas (such as a possible dumping area on the 75-acre Casey property on the west side of Batchellors Forest Road) should be evaluated in more detail; restoration measures should be implemented as part of the development process if needed.**
- 4. Support federal, state, and local efforts to improve stream conditions through the Anacostia Restoration Project.**
- 5. Protect a green corridor along the streams of the Batchellors Forest tributary with voluntary conservation easements, possibly using forest banking as an incentive.**
- 6. Avoid and mitigate impacts of any new roadway in the ICC right-of-way.**



## **Development Standards**

Renovations and small additions limited to 1,000 square feet or five percent of the existing floor area, whichever is higher, will not be subject to the Site Plan review requirements. All other projects will be subject to the requirements of site plan review.

## **Height and Setback Controls**

Buildings within the core area of the Town Center can be as high as five stories. Buildings along the edges of the Town Center should be limited to three to four stories depending upon the height of the adjoining residential developments.

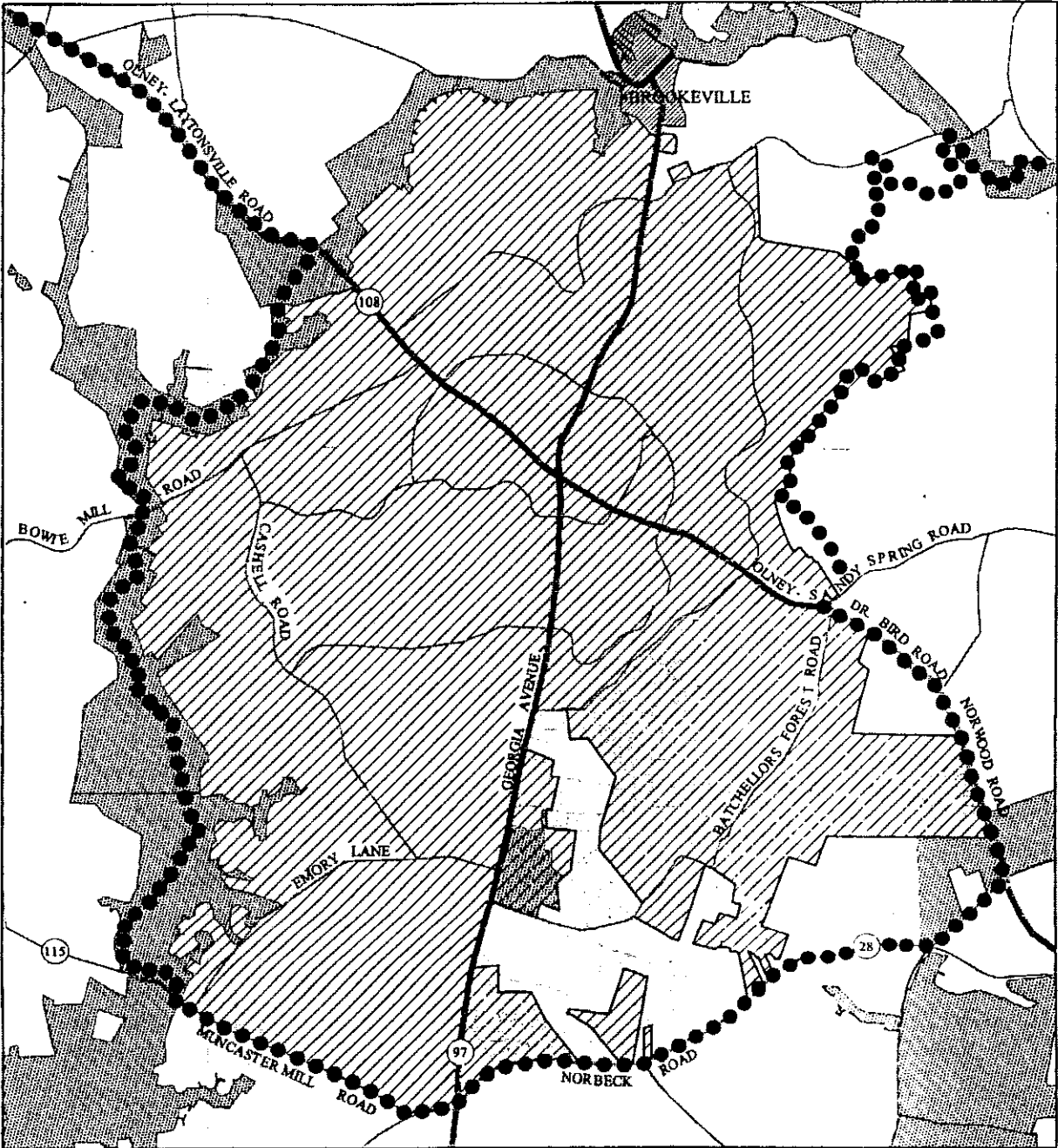
## **COMMUNITY SEWER SERVICE**





The County's policies on the provision of community sewer service are governed by the Water and Sewer Plan, the County's General Plan, master plans, the state's Smart Growth policies, and other policy documents. Master plans recommend where service is to be provided, generally in areas of more than one unit per acre, consistent with Water and Sewer Plan policies. In lower density wedge areas, sewer is generally provided only where cluster zoning categories or affordable housing are specifically recommended in the master plan and the developer proposes cluster development.

Community sewer service in the planning area is provided through trunk lines that parallel the North Branch of Rock Creek and the Batchellors Forest tributary of the Northwest Branch. In the North Branch of Rock Creek, sewer lines parallel the stream to the point where Williamsburg run joins the North Branch, then proceeds east to serve medium density areas in Olney west of Georgia Avenue. In the south, these trunk lines join to form the main trunk line down the Rock Creek through the District of Columbia and on to the Blue Plains Treatment Plant. In the Northwest Branch, there are two main trunk lines: one serves the area that drains to the Northwest Branch, and the other serves areas of the Town Center in the Hawlings River watershed through the James Creek drainage.

Providing community sewer service to relieve failed septic systems can help to minimize groundwater contamination. However, depending on density and clustering options, the provision of community sewer service can damage sensitive habitat and water resources by facilitating development to the maximum zoning density. While extensions along stream valleys are designed to minimize direct environmental impacts, they can alter the characteristics of streams and stream buffer habitat and modify the natural hydrologic system due to wetland fragmentation. Lines that must cross streams or parallel them within the stream buffer can be troublesome if eroding stream channels expose sewer mains and manholes, leaving them more susceptible to damage.

# Sewer Service Areas



-  Proposed Sewer Service Area
-  Parks
-  Incorporated Areas
-  Master Plan Area Boundary



Where the recommendations of the Master Plan and the policies of the Comprehensive Water and Sewer Plan do not support the provision of community sewer service, development should occur, as feasible, using on-site sewerage systems. Septic and other on-site sewage disposal systems are permitted and regulated by the County's Department of Permitting Services. Community sewer service extensions in this Plan are recommended for areas where density levels and clustering are compatible with resource protection and where such extensions would not require new trunk lines in stream valleys.

#### **Recommendations:**

- 1. Provide community sewer service in the planning area generally in conformance with Water and Sewer Plan service policies. This will generally exclude areas zoned for low-density development (RE-1, RE-2, and RC) not already approved for service from further extension of existing sewer mains.**
- 2. Extend sewer service to areas proposed for RNC in the planning area, where feasible and as recommended in the Land Use Chapter of this Plan. Extend sewer service to RE-1 cluster only where the cluster option is used.**
- 3. In the North Branch of Rock Creek, Hawlings River and Northwest Branch watershed stream valleys, on-site sewer extensions to serve new development should follow roadways where possible and avoid stream buffers.**

#### **COMMUNITY WATER SERVICE**

Water policies of the County's Water and Sewer Plan allow for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT. Community water service has been extended to the area around the Oaks Landfill in fulfillment of the agreement between the County and the residents concerned about potential water supply contamination. This has resulted in the extension of public service to areas zoned RDT which are not usually intended for such service. The County Council's action in granting this service was not to stand as a precedent for public water service elsewhere in the RDT Zone. The Council has specifically excluded community water service from properties zoned RDT around the Town of Laytonsville. The County has proposed the extension of community water service to the Town of Laytonsville, just west of the planning area. This will provide greater availability of water service in the northwestern part of the planning area, where WSSC's ability to provide service is now constrained by water system pressure limitations.

The provision of community water service is generally required for areas zoned for moderate to high-density development. Areas zoned for one, two, and five-acre densities are allowed for the consideration of water service on a case-by-case basis. Some lower density areas that initially developed using private, on-site wells are unlikely to receive community water service for the foreseeable future. In addition, some areas now within the community water service envelope initially developed using individual wells and continue to use them. On-site well water supply systems are permitted and regulated by the County's Department of Permitting Services.

**Recommendation:**

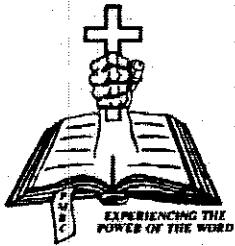
**Provide community water service in the planning area in conformance with the Water and Sewer Plan policies.**

**SUMMARY OF PARKLAND RECOMMENDATIONS**

The following properties are recommended as parkland for active and passive recreation purposes. Properties recommended for parkland acquisition through the Legacy Open Space Program are listed separately in this chapter.

**Properties with Proposed Parkland Acquisition**

<b>Property Recommendations</b>	
<b>Recreation Opportunities</b>	
Casey Property (adjacent to Farquhar Middle School)	Acquire as a local park through dedication
Gandel Property	Acquire a portion of the property along its western edge for a trail connection
Graefe Property	Acquire all or a portion for possible recreation
Kimble Property	Acquire for active recreation
WSSC Property in Olney Mill	Acquire if not needed by WSSC
<b>Resource Protection</b>	
Norbeck Country Club	Seek dedication during redevelopment process to improve stream quality in the North Branch of Rock Creek.
	Seek dedication of a portion of the property for a local park, if there is a need for a local park in the area at the time of subdivision.



# Parker Memorial

B A P T I S T C H U R C H

3811 Blackburn Lane  
Burtonsville, Maryland 20866

Phone: 301.421.0100  
Facsimile: 301.421.1763

[www.ParkerMemorial.org](http://www.ParkerMemorial.org)

March 14, 2006

Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

## RE: WATER/SEWER CATEGORY CHANGE

Dear Councilmember:

Grace and peace to you from the Creator and Sustainer of the universe, who has made us all in His image, for His glory and for our communal good.

It is my pleasure to write you today on behalf of the Parker Memorial Baptist Church. On October 17, 2005, God graciously blessed our congregation to become the new owners of the property near the corner of Norbeck & Layhill Roads (1601 Norbeck Rd. Silver Spring, MD). The Lord's provision of this final site for our ministry has come as an answer to fervent prayer, exhaustive developmental spending and the prevailing persistence of our people for more than a decade.

Our journey began back in September 1997, when after a lengthy sacrificial financial drive, thorough analysis and expensive consulting fees, we thought we had indeed found our Promise Land in our acquisition of 12.58 acres at the corner of Rt. 29 and Fairland Roads. But from the very inception, we faced what appeared to be insurmountable challenges. Aside from the covert and at times blatant racially motivated opposition to our planned development (years later, admitted by leading opponents to our projects), we became like a ping-pong ball paddled back and forth between Maryland National Capital Park & Planning Commission (M-NCPPC), State Highway Administration, County Council, and a host of lower level departments related to County development. We were laden with ever-changing Inter County Connector (ICC) alignment proposals and inconsistent conjecture regarding the Fairland Road overpass – both of which drastically affected our development efforts.

Over a seven year period, it seemed that each time we met with the designated State or County representative to receive the next set of directives for proposed site development, the State or County's plans and/or requirements shifted, were modified, increased or were tabled. Operating in good faith and unwavering determination, we followed every guideline and directive, completed every study or mandated expectation (other than scrapping our plans & selling the property) in an effort to complete the pre-preliminary and preliminary development process. To that end, from 1996 – 2003, we spent in excess of \$800,000 on professional

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### *Pastoral Staff:*

**Guy A. Williams, Sr., D.Min.**  
*Senior Pastor*

**J. Francis Thornton, M.Ed.**  
*Senior Associate Minister  
Minister of Outreach*

### *Executive Staff:*

**Karyn M. Felder, PhD**  
*Director of Counseling*

**Pernelope M. Whitby**  
*Interim Exec. Asst. to the Senior Pastor*

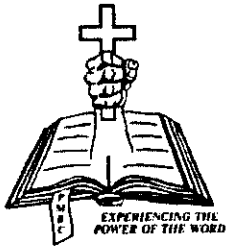
**Kia R. Williams, M.A.B.S.**  
*Director of Christian Education  
Director of Marketing*

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2006 Annual Theme:

**"Learning to Walk by Faith"**  
Hebrews 11:6

(84)



fees (architects, engineers, attorneys, application fees, accountants, etc.) in attempts to develop that site. This is unconscionable for a church. So much money wasted on never-ending development costs instead of on ministering to and empowering people – our God ordained mission and mandate.

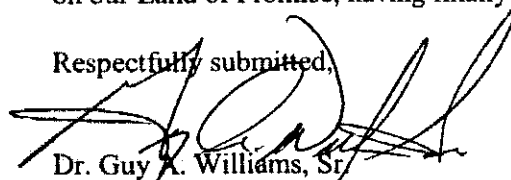
This painful process had a definitive deleterious impact upon our ministry. It nearly bankrupted our bank accounts, crippled our congregation's progress, obliterated our ministry's dreams, and nearly broke the spirit of our members. The exorbitant developmental costs, prolonged and unnecessarily protracted process led to diminished confidence in our leadership, a reduction of our members and the subsequent required sale of our Land of Promise in 2003 and the correlating loss of our opportunity to acquire our present location of ministry operations, the 11.5 acre former Burn Brae Dinner Theater in 2004.

With broken hearts and shattered dreams, we YET trusted in the Lord, as *our Shepherd* to provide a safe place of *green pastures* for our people. He did so in the 8.36 acre parcel located at 1601 Norbeck Road, Silver Spring, MD. What we need now is your support and advocacy in approving our request for Water & Sewer Category Change at that site.

Since June of 2005, we have faithfully committed ourselves to the requisite development process, having provided all requirements and submissions to M-NCPPC (pre-preliminary revised from the preliminary plan) for the two primary issues for consideration/approval – Water Sewer Category Change and speculatively proposed Impervious Limitations. We ask that in addition to the County Council being mindful of the process and considerate to the persons neighboring our site, that the Council be sensitive to the arduous journey of the Parker Memorial Baptist Church and not add any further burdens (e.g., restrictive Impervious Limitations) to our development endeavors.

We have been a faithful Montgomery County ministry for over 85 years, originally based in Takoma Park, the southern part of Silver Spring. We are a vibrant ministry with a comprehensive focus on practical contextualization of Christianity. We feature a strong preaching and teaching ministry relevant to persons of every age bracket. Numerically, we are medium in our quantitative size but large in our qualitative service. Our ministry is holistically designed and staffed to meet the diversified and multifaceted needs of our contemporary society. We simply request that you approve our development applications and enable us to build and occupy on our Land of Promise, having finally found a permanent home.

Respectfully submitted,

  
Dr. Guy A. Williams, Sr.  
Senior Pastor

*Holly House Homestead*  
*Laurana Coleman Reed*  
 11641 Glen Road  
 Potomac, Maryland 20854  
 (301) 229 4212

March 8, 2006

Montgomery County Council  
 100 Maryland Avenue, 6<sup>th</sup> Floor  
 Rockville, Maryland 20850

Dear Council Member,

I received a report from Mr. Alan Soukup in response to my application for sewer hookup. The County Executive recommended that I have this sewer as did the planning board.

I know that there is opposition from the West Montgomery Home Owners Association. I have been told, that their opposition stems from their belief that if I get the sewer that there will be a domino effect. However, since I have applied for sewer under the *Peripheral Service Policy* there can not be a domino effect under that particular policy.

As I have stated in my application "I would like a sewer category change so that I can put an addition on my house and a pool in my yard that would be consistent with my neighborhood and with the two-thousand and two Potomac Master Plan recommendation under the *Peripheral Service Policy*."

The Reed family has lived here for thirty-six years. I love my land, I love my home, I love my location and I love my county. I can put my horse in my trailer and head up country and ride for three hours and be back home in time to change and go to the Strathmore Arts Center. I am on my last lap and I want to spend my last lap in Montgomery County on the Reed homestead. I would like the addition to my house to make my last lap the best, the most enjoyable and the most exiting of all my laps. I would like to enjoy the amenities that my new neighbors will enjoy. I do not want to build a theater. I would like my addition to consist of: a sunroom, larger dining room, office, exercise room and loads and loads of closet space. Building this addition and a pool would be exciting and fulfilling. While others dream of travel to Cairo and Cathay, my thoughts and dreams are of my last lap; spending it on my property in my newly renovated home, riding my horse and cutting my grass while atop my tractor. To sum it all up . . . I would like to spend my last lap in my own back yard.

My request is consistent with the findings and recommendations of the Executive Board and Park and Planning as described in the *Peripheral Service Policy*.

Sincerely,

*Laurana Coleman Reed*  
 Laurana Coleman Reed



ATTORNEYS

STEVEN A. ROBINS  
DIRECT 301.657.0747  
SAROBINS@LERCHEARLY.COM

**Hearing Before the Montgomery County Council  
Proposed Amendments: Montgomery County Comprehensive  
Water and Sewerage Systems Plan – AD 2006-1 Packet**

**Testimony of Steven A. Robins  
Lerch, Early & Brewer  
On Behalf of  
Winchester Homes, Inc.  
WSSCR 04A-PVE-01**

Good evening Members of the Montgomery County Council Transportation and Environment Committee. My name is Steven Robins and I am an attorney with the law firm of Lerch, Early & Brewer located in Bethesda, Maryland. I am here this evening on behalf of Winchester Homes, the Applicant for Water and Sewer Category Change Request WSSCR 04A-PVE-01. This request for a change from W-6, S-6 to W-3, S-3 is for a 101.5 acre property located within the Town of Poolesville (the "Town") better known as the Schraf property that is currently under review by the Town for the development of a residential subdivision containing 98 lots.

We would respectfully request that the Council approve the category change request. As you will see from more recent materials from the Montgomery County Department of Environmental Protection ("DEP"), this request is now ripe for approval. As part of the original packet, DEP and M-NCPPC Technical Staffs both recommended, as did the County Executive, that the category change request be denied due to a lack of information received at that time from the Town indicating a time frame for when its public water and sewer systems will be ready to accommodate additional development, including the Winchester proposal. We testified before the Planning Board and suggested that the category change be deferred until the next cycle, rather than denied, since the information being requested would be available in short order and would serve to support a recommendation of approval. The Planning Board agreed and recommended deferral.

After the Planning Board hearing, DEP held a meeting with Winchester, Technical Staff and representatives of the Town of Poolesville to discuss the category change. The outcome of the meeting was that the Town submitted a letter to DEP setting forth the information DEP needed in order to recommend approval. It is our understanding that DEP Staff has revised the recommendation to approval of

the W-3, S-3 category based on the information received from the Town. As DEP correctly pointed out in the initial Staff Report, Winchester's proposed development is consistent with the growth and development staging as contained in the Town's recently adopted Master Plan, 2005. The Master Plan calls for the Town's population to expand from 5,167 to a maximum of 6,500 to accommodate additional residential development. As part of the Town's sewer allocation process that was approved and adopted by the Town Council, Winchester's development is specifically accounted for the above referenced figure and Winchester is first in line to develop in the Town.

As we explained to the Planning Board and DEP (and the Town thereafter confirmed in its revised letter), there are several major factors that have changed since the Town's first letter was sent to DEP that serve to support a recommendation of approval of the category change request. First, the Town has completed the expansion and upgrade of the Poolesville Wastewater Treatment Plant. While there was pending litigation relating to the permit issued by MDE, this litigation has concluded and MDE's determination that the wastewater discharge permit is valid is a final decision. As far as water is concerned, Winchester has taken the position that the existing water supply is adequate to accommodate its development. Even so, Winchester has identified and successfully tested for a new municipal well site on its property. Winchester and the Town will be actively pursuing this well site. The various measures necessary to bring this well on-line are very much underway. Again, the Town addressed these factors at the meeting with DEP and in its most recent letter and it is our understanding that this information satisfied DPS and the Executive.

As a result of the changed circumstances since the published Staff Report and the Planning Board's advisory hearing, we would respectfully request that the Council adopt the revised DEP/County Executive recommendation and approve the category change. We appreciate the opportunity to be heard and will be available to answer any questions that you may have regarding this matter. Thank you for your consideration.

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**WEST MONTGOMERY COUNTY  
CITIZENS ASSOCIATION**

Founded 1947

P.O. Box 59335, Potomac, Maryland 20859-9335

Good evening Ladies and Gentlemen, my name is George Barnes, I reside at 10311 Glen Road in Potomac, and I am the Zoning Chairman of the West Montgomery County Citizens Association. We are very concerned about the way in which the Peripheral Sewer Policy mentioned in the Potomac Master Plan is being applied. Let me begin by reiterating our long standing position and conviction that development in the RE-2 zone is intended to occur using wells and septic systems. We believe that the peripheral sewer policy is being too liberally interpreted and that the environmental basis of the low density zones would have been better served if it had not been included in the final language of the Master Plan. The Master Plan states on page 21 that "a comprehensive evaluation indicates that providing community sewer service to areas zoned for one-and two-acre development, and contrary to smart growth policies, has undermined the environmental emphasis of zoning areas for low-density development, especially where septic suitability is marginal." We believe that given this finding, despite the proximity of this property to the sewer envelope, this application should be denied. We believe that if the Council is serious about maintaining the environmental basis of the low density zones then "across the road from" does not mean abutting the currently established edge of the envelope. We used to have an abutting mains policy which allowed connection if your property touched or adjoined a sewer main. Under that policy this property would clearly not be eligible since an extension of some six hundred feet including 400 feet of pressure main is necessary just to reach a main to serve the property. This main would disturb several other properties and would require acquisition of rights-of-way. Furthermore, despite the fact that DPS has no knowledge of this septic system, no failure has been reported, it may in fact be perfectly adequate to handle additions to the existing house, while the property is a 5 acre parcel providing ample room for a septic field even if a new one should be needed. In closing we would ask that you make the same judgement which the County Executive and M-NCPPC staff recommend for the Burnett property just down the road, 05A-TRV-06, and which we support, that is, to deny the request because it does not abut the envelope. Thank you.

(89)

Summary of Testimony Submitted by Susanne Lee  
Glen Hills Citizens Association

1. WSCCR 05A-TV-02. Maryland Development Company

We concur with the unanimous recommendation of the County Agencies to deny a category change for Parcels P592, P691, and P802 because the proposed change is inconsistent with the Potomac Master Plan

We strongly oppose WSSC's proposal to service the property by constructing a massive 1,5000 foot gravity sewer through Parcel P802, a highly sensitive environmental area, resulting in the destruction of hundreds of trees, wetlands, and a streambed.

We oppose the request for a public health exception for Parcel P600 because it does not meet the requirements of the Potomac Master Plan. To approve the category change on the basis of the evidence presented here makes a sham of the process and rewards the developer for outrageous conduct that resulted in the recent destruction of the septic system. As set forth in the testimony and the exhibits:

1. Well and Septic confirm that they have no evidence of an actual discharge, current or past, into the pond. The statements of DEP and Well and Septic statements are based on pure speculation.

2. The developer's application for a category change did not state that there was a public health problem on the site.

3. According to Well and Septic, the septic system is now failing because the developer recently destroyed 3 of the system's 4 distribution lines. .

4. The septic system failure can be remedied by moving the system to the front yard or using Innovative & Alternative technology.

2. Lakewood Estates. We object to the determination that there is a public health problem when only 3 of these 32 homes has experienced an actual failure. Lakewood Estates is not part of the Glen Hills study area.

3. Greenbriar Branch. WSCCR 05A-TRV-06 (Reed) and WSCR 05A-TRV-07(Burnett)

Both of these should be denied because they are not consistent with Potomac Master Plan.

Neither abut an existing or proposed sewer main as is required at page 23 of the Master Plan

Testimony Regarding Sewer Category Changes  
Montgomery County Council Hearing  
March 14, 2006

Submitted by Susanne Lee  
12900 Circle Drive  
Rockville, Md. 20850

My name is Susanne Lee. I am representing the Glen Hills Citizens Association as their land use chairman. Glen Hills is a low density, environmentally sensitive, RE-1 neighborhood with extensive ponds, wetlands, and steep forested slopes. It is crisscrossed by tributaries of both the Watts Branch and the Piney Branch streams. These middle sections of the Watts Branch and the Piney Branch have been repeatedly identified as recharge areas of great importance in preserving and increasing water quality in both streams. Further unwarranted and unwanted extensions of the public sewer into our low density neighborhood are inconsistent with the Master Plan, will have a direct adverse impact on the overall character of the neighborhood, and threaten its unique, environmental features.

With regard to the specific requests before you--

A.. WSCCR 05A-TRV-02 Maryland Development Co. These 4 parcels are a quintessential Glen Hills treasure-13.8 acres containing a pond, wetlands, stream valleys, steep slopes, and thick forest canopy. Even the developer admits that the largest parcel (P802) comprising half of the total area could never be developed because of its sensitive environmental features.(circled page 33).

We concur with the unanimous recommendation of the County Agencies to deny a category change for Parcels P592, P691, and P802 because the category change is inconsistent with the Potomac Master Plan.

We strongly oppose WSSC's proposal -- a massive 1500-foot gravity sewer extension through Parcel P802 that would destroy hundreds of trees, destroy wetlands, and include a stream crossing. This proposal is clearly inconsistent with the Potomac Master Plan.

We also oppose the request for a public health exception for Parcel P600 because it does not meet the requirements of the Potomac Master Plan and because to do so under these circumstances would make a sham of the public health exception. The Master Plan exception is limited to "documented public health problems resulting from septic system failures." There is absolutely no evidence in the record that there is an actual, current public health problem at the site or any evidence that if there were, it cannot be remedied on site. Furthermore, the recent damage to the septic system was caused by the negligent actions of the developer at the site, actions that should not be rewarded by a lucrative sewer category change.

Here are the facts:

1. In a telephone conversation on March 10, 2006, Amy Hart of the Well and Septic Section of the Department of Permitting Services confirmed that there is no evidence that a discharge from the septic system to the pond is actually occurring or has ever occurred. Instead, there is merely a speculative statement in a July 26, 2005 e-mail by Ms. Hart, who did not perform the inspection, that because the end of one of the trenches was near the pond "*this likely means* sewage was going directly into the pond from that trench." (Emphasis Added) Exhibit A. The house has been vacant for years and there is absolutely no evidence of past or current discharges into the pond. With no additional evidence of an actual discharge, in her July 29, 2005 memo (circled p. 30) she stated: "*It appears* that the existing septic system is discharging directly into the pond." (Emphasis added). Still with no additional evidence, Alan Soukup in a November 2, 2005 memo to WSSC misstates the facts declaring that "DPS reported that the septic system *was* discharging into the pond on the property." (Emphasis added).

2. The developer's April 20, 2005 application does not state that there is a failed septic or a public health problem. (Circled p. 24) However, in a letter dated May 11, 2005, the developer states that at a meeting with Alan Soukup to "push the issue about approving a hook up to the pressure system...for the existing house" that "Mr. Soukup indicated that if we could get the Well & Septic Section to support our findings of, no records, poor soil and water conditions and other environmental concerns about the current septic system, that he would take a serious look at their comments." (Circled p. 28). The letter further indicates that the developer had not even determined where the existing system was located. (Circled p. 27).

3. On July 22, 2005, an inspector from the Well and Septic Section "met with an excavator on-site to confirm a failing septic system. After uncovering the system, they found that 3 or the 4 distribution lines out of the distribution box had been destroyed by a water table test done earlier [that] year" by the developer. (Exhibit A.) It would be a sham to approve a public health exception when the reason the septic system failed was because it was destroyed by the developer. .

4. There is no evidence that a new system cannot be built on the property. Not only are there I & A technologies available, the developer's letter indicates that a new septic field could be established in the front yard of the house. (Circled p. 27)

B. Lakewood Estates. We object to the designation of the area as a public health problem area when only 3 of the 32 houses surveyed have had an actual septic failure. We are also concerned that houses with septic problems will be forced to go to public sewer, even if the homeowner wishes and is able to correct the problem on site. We believe it should be approved only if a majority of homeowners agree.

We also object to the statement on circled page 22 that the Lakewood sanitary survey is a part of the Glen Hills study required by the Potomac Master plan. The provision of sewer service to the Lakewood Estates is pursuant to the Piney Branch Subwatershed Recommendations on

page 25 of the Potomac Master Plan (Former Stage I and II properties). Lakewood Estates is not part of Glen Hills or the study described on pages 23 and 24. Furthermore, the Glen Hills study is required to be "conducted in conjunction with the citizens of this area," and must include 6 separate elements, not just sanitary survey information.

C. Greenbriar Branch. WSCCR 05A-TRV-06 (Reed) and WSCR 05A-TRV-07(Burnett)  
Both of these should be denied because they are not consistent with Potomac Master Plan.  
Neither of these properties abut an existing or proposed sewer main as is required at page 23 of the Potomac Master Plan.

Post-it® Fax Note 7671		Date 3/10	# of pages 2
To Susan Lee		From Amy Hart	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 202 564 1428		Fax #	

-----Original Message-----

**From:** Soukup, Alan  
**Sent:** Friday, July 29, 2005 9:56 AM  
**To:** Hart, Amy  
**Cc:** Lake, Dave  
**Subject:** RE: 13200 Cleveland Drive

7/29/05

Amy:

Sounds (finally!) like he needs some help. I don't see any point in pursuing an I&A system on this property if sewer is available at the street. Go ahead and send us a memo on this one.

Thanks, Alan  
DEP-WWPG

-----Original Message-----

**From:** Hart, Amy  
**Sent:** Tuesday, July 26, 2005 11:49 AM  
**To:** Soukup, Alan  
**Subject:** 13200 Cleveland Drive

Alan,

My inspector met an excavator on-site to confirm a failing septic system. After uncovering the system, they found that 3 of the 4 distribution lines out of the distribution box had been destroyed by a water table test done earlier this year. I do not believe this was intentional. The pipes were made of orange-burg pipe and my inspector feels they can not be fixed. In addition, one of the trenches is only 15 feet from the edge of the pond - this likely means sewage was going directly into the pond from that trench. Percolation testing conducted earlier this year showed that there is a shallow depth to groundwater on the site and repair of the existing system would likely need I & A technology.

I am prepared to issue a health hazard letter, but wanted to run it by you first.

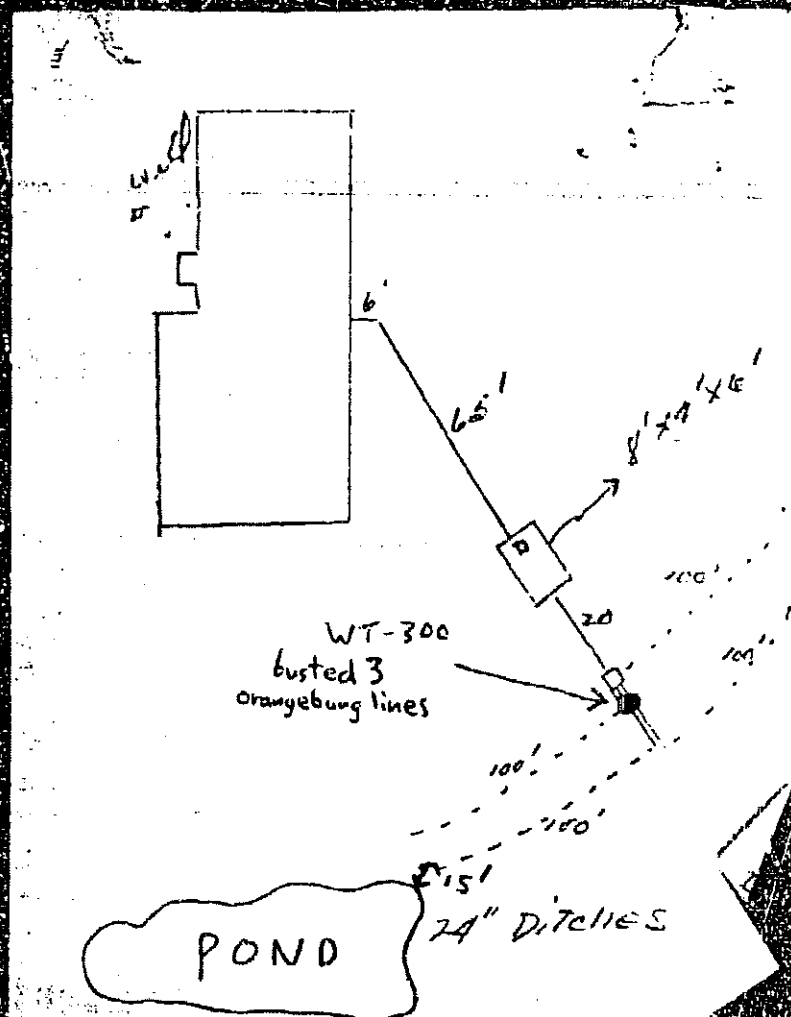
Thanks,

Amy

Exhibit A

(94)

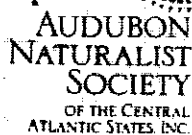




7/22/05 WT-300 busted 3 orangeburg lines downgrade of D-BOX stone trench is 15' from pond. JRL

Exhibit A

(95)



CONSERVING OUR REGION'S NATURE SINCE 1897

**Re: Sewer Water Category Change Request, Winchester Homes 98 Homes**

March 14, 2006

My name is Dolores Milmo. I'm testifying on behalf of the Audubon Naturalist Society. We urge denial for the Winchester Homes sewer water category change. I might add that denial was the original recommendation by Planning staff, DEP as well as the Executive staff until last Thursday. Nothing I have seen in staff's notes available late this afternoon give assurances that concerns have been addressed: That is, there is still no documentation that the sewage system will support this proposed development. And the final report from MDE on potable water availability has not been completed.

This proposal concerns us as well because of its density, 98 homes, right on the edge of the Agricultural Reserve and over the headwaters of Broad Run, a watershed designated for protection under the County's Legacy Open Space Functional Master Plan.

I would add that Poolesville has a very poor record for environmental stewardship. Their WWTP operational history has been plagued with problems, the most serious of which has been the repeated discharge of raw sewage into Dry Seneca Creek. Development interests have repeatedly driven the town's growth beyond sustainable limits. In 1970, Poolesville's population was 350, now there are 5,200 residents.

It is relevant to note that during these cycles of intense growth, public health crisis resulted with both water allocation and sewer capacity. Town officials went back to the State for emergency increases which were granted. This method of growing the town became standard procedure.

Granting this request at this time will not allow for the careful scrutiny of the impacts of this 98 home proposal on the headwaters of Broad Run. This proposal is almost a 25% increase in housing in Poolesville. Is it wise to grant this request before documentation of any actual sewer and water capacity is available?

We urge denial of this request.

**RUST SANCTUARY**

802 CHILDREN'S CENTER ROAD  
LEESBURG, VA 20175

PHONE: (703) 669-0000 / FAX: (703) 669-1234

**WOODEND SANCTUARY - HEADQUARTERS**

8940 JONES MILL ROAD  
CHEVY CHASE, MD 20815

PHONE: (301) 652-9188 / FAX: (301) 951-7179

**WEBB SANCTUARY**

12829 CHESTNUT STREET, PO BOX 51  
CLIFTON, VA 20124-0051

PHONE: (703) 803-8400 / FAX: (703) 803-9600

9  
Attachment

## Poolesville Water and Sewer Category Change

March 14, 2006

Dear Council Member Floreen,

I understand there is a water and sewer category change for Poolesville tonight. I have attached an email that I sent to David Lake. After talking to David, it appears this is a done deal and a rubber stamp by the Council.

PLEASE be aware that Poolesville is still working on their I&I problem, they have not had additional wells approved by MDE and recently, they have discovered a potentially serious radiation problem in their water system.

I certainly hope that the Council believes that these problems should be addressed before we look at over stressing the current system with more houses.

Please feel free to call me if you have any questions.

Conrad  
(301) 972-7668

-----Original Message-----

From: Conrad Potemra [mailto:thedarnocgroup@verizon.net]

Sent: Tuesday, March 14, 2006 9:48 AM

To: Dave Lake

Subject: Water and Sewer Category Change

Dave, it is my understanding that there is a hearing tonight for a water and sewer category change for Poolesville. You did not notify me, so I was obviously caught off guard. My obvious fear is that this is a done deal and will not receive the true scrutiny that is needed. If at all possible, I would hope that the hearing could be moved to Poolesville so the Council members can hear from all the citizens with a vested interest in this problem. I have previous plans and will not be able to make it.

More importantly, I think everyone is in agreement, including MDE, that there is not sufficient sewer service to support additional sewer connections in Poolesville. Currently, there is work being planned to complete the repairs to the Wesmond subdivision. However, to the best of my knowledge, there is no start date established. Also, to the best of my knowledge, the final report from MDE on potable water availability has NOT been completed. Based on the first test, neighboring wells were clearly affected. Additional tests may be needed to ensure minimal impact.

AGAIN, this is a situation where plans are being made to add additional

(97)

sewer connections to an overloaded plant BEFORE required repair work is being completed and actual measurements of the success are available. As you are well aware, I am very much in favor of the repair work and am hopeful that it will start to reduce the I&I problem in Poolesville. But, almost 20 years of historical show, that all previous work on reducing I&I in Poolesville had the long term effect of increasing flows at the plant. Before I&I work started after the 1988 Consent Decree, the town engineering firm measured WWTP peak flows of 1.9 million gallons per day. As recently as a couple years ago, peak flows were measured at almost 4 million gallons per day, or nearly double the 1988 results! This is on a WWTP that has a capacity of 750,000 gallons per day.

I think it is very foolish for the County to commit to nearly a 25% increase in the housing in Poolesville BEFORE any actual capacity is available. History has clearly shown that once this capacity is allocated, it is used, regardless of any lack of capacity. Again, as you well know, Poolesville has a long history of promising it is working on I&I, while the statistics clearly show the problem is not being fixed, but more County approved housing units are built!

PLEASE, stop this foolishness before it too late. Somewhere and sometime, the promises must be replaced with actual results.

In the meantime, if something needs to be done, I would hope you would focus on the conditions of the roads surrounding these developments and the long overdue work that is needed to allow them to meet the demands of additional traffic.

As always, please feel free to call if you have any questions. I will be happy to work with you.

Conrad  
(301) 972-7668

March 14, 2006

Water and Sewer Plan Amendment: WSCCR 05A-TRV-02, Maryland Development Co., 13200 Cleveland Dr.

I oppose the extension of sewer service to 13200 Cleveland Drive for 4 reasons.

First, this extension of sewer service would potentially allow more houses to be built on smaller lots thus leading to increased storm water run off from impervious surfaces. There is already a huge problem with the sediment from Watts Branch and it's tributaries which is causing WSSC to propose a new water intake pipe in the Potomac. A Gazette article entitled "Concerns surface over new water pipe" dated Feb. 22, 2006, page 1, states, "It [the new pipe] would replace a shoreline pipe that is often clogged by sediment and debris carried into the river by the Watts Branch tributary." I have hiked along Watts Branch many times. The results of heavy erosion along the banks of Watts Branch are quite visible, and this is the source of the sediment mentioned in the Gazette article. Allowing more houses to be built along a tributary to Watts Branch will only increase this erosion problem.

My second reason for objecting is that WSSC can't guarantee that raw sewage spills will not occur into the tributary and Watts Branch similar to the one on February 20th which occurred in Cabin John Regional Park into the Cabin John stream. This was caused by a grease blockage, and raw sewage was released directly into the Cabin John stream. WSSC had large yellow signs posted warning people to keep away from the water. Unfortunately, I don't think the birds, deer, raccoons, and other wildlife could read the signs.

Third, I object to the environmental damage that would be done by installing a gravity flow system through the stream valley. There are relatively few natural areas left in the County, and it would be a shame to destroy thousands of trees, seedlings, wildflowers and ferns, compact the soil with heavy machinery, and degrade this Potomac River watershed area just so a developer can make a few more bucks.

Finally, I am a volunteer with the Montgomery County Park System and the National Park Service helping to control non-native invasive plants. When a huge swath of land is disturbed by activities such as laying sewer lines through a woods, non-native invasive plants such as Garlic Mustard and Japanese Stilt Grass quickly move in and prevent the growth of the native plants and flowers that our wildlife depends on. As stated in a Montgomery County Weed Warrior program brochure, "Invasive plant populations alter the characteristics of the complex webs that have evolved over thousands of years and can cause the elimination of numerous plants and animals".

Thank you for your consideration of my objections.

Kenneth A. Bawer, 8 Cleveland Ct. Rockville, MD 20850 (sewer.doc)

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March 27, 2006

Transportation and Economic Development Committee  
of the Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850

RE: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan;  
Application No. 051-TRV-02;  
Avramovic properties

Dear Chairman Floreen and Committee Members Leventhal and Perez:

I am writing to provide written comments supplementing my testimony at your public hearing on Tuesday, March 14<sup>th</sup>, regarding the above-referenced sewer category change request. To reiterate, my comments to the Committee Members included:

1. Parcel 600 (shown on the attached tax plate map) now enjoys public sewer service as a result of the determination that the property had a failing septic system.
2. There is an existing sewer line in the roadbed of Cleveland Drive located slightly northeast of the subject property. Dwelling units that could be constructed on Parcels 592 and 651 (see attached tax map) (the request for service for Parcel 802 was withdrawn), could be serviced by grinder pumps located in each residence forcing effluent to Cleveland Drive where it could then flow by gravity to the treatment plant.
3. Virtually every parcel of land that adjoins, confronts or surrounds the Avramovic properties has been platted and is built on or is buildable. It is distressing to the Avramovic family that their property is surrounded by residences yet they are unable to build on their respective parcels.

In summary, at the intersection of Valley Drive and Cleveland Drive, there are no unplatted properties and it seems unusual that the subject properties would remain in an unbuildable state when they are confronted by existing houses on three sides.

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There were a couple of speakers who testified after me who expressed reservations about extending public sewer to the Avramovic properties. Unfortunately, those opinions were based on some inaccurate information. In particular:

1. The applicant is not proposing that a sewer line be extended for 1,600 linear feet through Parcel 802 in order to provide public sewer service. Connection to a public sewer line can be achieved in a more efficient manner. A determination about how the larger area should be sewerred, if at all, will be made during the study described in the comments of reviewing agencies. However, it is the applicant's position that, in conjunction with a grant of sewer service to connect the two buildable parcels (P-592 and P-651) to the existing sewer line in Cleveland Drive, that the applicant will grant now, or in the future, an easement over some 1,600 linear feet of the applicant's property if such a measure is deemed the best way to provide sewer service in the Glen Hills neighborhood. The applicant sees the creation of such an easement, in exchange for being able to connect to the Cleveland Drive sewer line, as simply being good, long range planning whereby the County preserves its options for future service, as needed, to this general neighborhood.

2. I would disagree with the characterization by one of the speakers last Tuesday evening who indicated that the Avramovic property, if provided sewer, would result in "new houses on smaller lots". As can be seen on the attached tax plate map, the two subject lots are quite large, averaging 1.9 acres in the RE-1 zone, compared to the most neighboring lots. These are buildable parcels that do not require further subdivision to be used for residences. Instead, their primary distinguishing factor from surrounding lots is that they are unplatted and are (mostly) unbuilt lots as compared to the surrounding land use pattern.

In summary, the applicant for Category Change No. 05A-TRV-02 believes that the Council can and should extend sewer service to Parcels 592 and 691 so that these properties can be developed in a manner consistent with surrounding land use patterns.

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in black ink that reads "Jody Kline". The signature is written in a cursive, somewhat stylized font. Above the signature is a horizontal line.

Jody S. Kline

JSK/dlt

cc: Keith Levchenko  
Alan Soukup  
Ted Smart

ATTORNEYS

STEVEN A. ROBINS  
DIRECT 301.657.0747  
SAROBINS@LERCHEARLY.COM

March 28, 2006

***BY TELECOPIER AND HAND DELIVERY***

The Honorable Nancy Floreen, Chair  
Montgomery County Council Transportation & Environment Committee  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

**Re: Winchester Homes/Water and Sewer Category  
Change WSCCR 04A-PVE-01**

Dear Ms. Floreen and Members of the Transportation & Environment  
Committee:

Our firm represents Winchester Homes, the contract purchaser of property located within the Town of Poolesville (the "Town") better known as the Schraf Property. This property that has been under review by the Town of Poolesville (both the Planning Commission and Town Commissioners) for approximately five years is proposed to be developed with 98 single family lots. I am attaching the testimony that I delivered at the recent public hearing before your Committee for ease of reference.

One of the elements of the approval for the above referenced development is public sewer and water, all to be provided from the Town's facilities and not County facilities. Sewer service will be provided from the Town's waste water treatment plant that has been recently upgraded and water service will be provided from the Town's expanded water supply. Winchester and the Town are working together to bring on-line a new, substantial water supply located on the Schraf property.

As pointed out in the County Executive's and DEP's revised transmittal packet, "requests to change water and sewer service area categories within the County's municipalities, including those like Poolesville that maintain their own planning and zoning authority, are still included in the county-wide Water and Sewer Plan. State law directs the County to incorporate the water and sewer planning accomplished by the municipalities, like the Town of Poolesville, into the County Plan. In this

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The Honorable Nancy Floreen and  
Members of the Transportation & Environment Committee  
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regard, DEP's evaluation of category change requests for properties within the town must rely substantially on planning and utility recommendations provided by the Town government." **The County Executive's revised recommendation for the Schraf property is to recommend Approval of the W-3, S-3 designation.** This recommendation is the result of a meeting in late January between DEP Staff, the Applicant and representatives of the Town whereby the Town provided DEP with updated information concerning the Winchester development and the status of available infrastructure. In particular, in a letter to DEP from the Town dated February 14, 2006, the Town confirmed that:

- The Town has two new municipal wells in the permit review process with the State.
- The State has issued the discharge permit for the waste water treatment plant expansion to 725,000 gallons/day. The litigation that delayed the implementation of the permit has been resolved with the MDE finding that the permit is valid. No appeal was filed. This is no longer an issue.
- Winchester's subdivision plan is currently pending approval by the Town. The only remaining issue is the pending stormwater management approval.
- The Town responded to DEP that it will work within its development process framework to ensure that "adequate facilities are in place prior to water and sewer allocations, with the burden to supply these facilities to be borne by the developers."

Again, based on the January meeting and February 14<sup>th</sup> follow-up letter, DEP and the County revised its recommendation for the water and sewer category change to one of approval of the W-3, S-3 classifications.

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Members of the Transportation & Environment Committee  
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At the March 14, 2006 public hearing before the Committee, Dolores Milmo testified on behalf of the Audubon Naturalist Society against Winchester's category change request. We believe that testimony should have no bearing on the Council's approval of the category change request for the following reasons:

- DEP has carefully and methodically reviewed this request and based its initial recommendation solely on a lack of information needed from the Town to support an approval. DEP received the information needed from the Town at the January meeting and documented in its February 14<sup>th</sup> letter. The Town specifically supplied to DEP the information it was seeking for a recommendation of approval and that is set forth in the revised Staff Report.
- As part of the development approval process, Winchester prepared a Natural Resources Inventory/Forest Stand Delineation Plan (which has been approved by the Town) that identifies any wetlands and associated buffers, streams, flood plain, forest, seeps, springs and the like. Winchester is taking specific and extensive measures to protect the environment. In relation to the extension of sewer service, Winchester's proposal will incorporate a pump station in lieu of a gravity system that otherwise would have been located in the stream valley. Winchester also is proposing a comprehensive stormwater management system for the development. Finally, Winchester is proposing a development that would allow for approximately 85% of the property to be maintained as green space.
- Accusations regarding the Town's record for environmental stewardship are not only irrelevant to this proceeding but also are not true. The Town has taken the upgrading of the waste water treatment plant very serious and has not, in any way, acted prematurely in its development approval or sewer allocation processes. The Town is actively resolving prior waste water treatment problems as part of the substantial upgrade of the Town's waste water treatment plant. To date, efforts are

The Honorable Nancy Floreen and  
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extremely successful and have been documented by the Town and its professional consultants. Furthermore, the email from Conrad Potemra set forth issues that were specially addressed not only in the MDE legal proceeding but also by the Town.

- The proposal to increase the Town's housing stock by 98 units is irrelevant to this water and sewer category change request. The Schraf property is under the Town's land use and zoning jurisdiction, not the County's. The Winchester proposal has been and continues to be extensively reviewed by the Town's Planning Commission, Parks Board and Town Commissioners (and Staff). Furthermore, Winchester's proposal falls within not only the population growth expressed in the new 2005 Master Plan but also fits within the figures set forth in the prior plan too. As expressed in DEP's analysis, "Winchester's project is consistent with growth and development staging proposed in the Town's 2005 master plan update, which calls for the population expanded from 5,167 to a maximum of 6,500 supported by approximately 420 new homes."

We would respectfully request that the T & E Committee adopt DEP's amended recommendation and thus recommend approval of this water & sewer category change request to the full Council. The concerns raised by DEP and the County Executive in its initial recommendation have been addressed as evidenced by the revised approval recommendation. The issues raised by the Audubon Society, as DEP Staff and the Executive correctly point out, are ones that are addressed as part of the Town's development review and approval process and not this water & sewer category change application. The Town has been addressing these very issues and will continue to do so as Winchester's plans make their way through the Town's development approval processes.

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Members of the Transportation & Environment Committee  
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We will be available at the March 30, 2006 worksession if you have any questions or comments regarding this matter. Thank you in advance for your consideration.

Sincerely,

  
Steven A. Robins

Cc: Michael Conley  
Daniel Lyons  
Edward Wallington  
Alan Soukup  
Keith Levchenko

ATTORNEYS

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**Hearing Before the Montgomery County Council  
Proposed Amendments: Montgomery County Comprehensive  
Water and Sewerage Systems Plan – AD 2006-1 Packet**

**Testimony of Steven A. Robins  
Lerch, Early & Brewer  
On Behalf of  
Winchester Homes, Inc.  
WSSCR 04A-PVE-01**

Good evening Members of the Montgomery County Council Transportation and Environment Committee. My name is Steven Robins and I am an attorney with the law firm of Lerch, Early & Brewer located in Bethesda, Maryland. I am here this evening on behalf of Winchester Homes, the Applicant for Water and Sewer Category Change Request WSSCR 04A-PVE-01. This request for a change from W-6, S-6 to W-3, S-3 is for a 101.5 acre property located within the Town of Poolesville (the "Town") better known as the Schraf property that is currently under review by the Town for the development of a residential subdivision containing 98 lots.

We would respectfully request that the Council approve the category change request. As you will see from more recent materials from the Montgomery County Department of Environmental Protection ("DEP"), this request is now ripe for approval. As part of the original packet, DEP and M-NCPPC Technical Staffs both recommended, as did the County Executive, that the category change request be denied due to a lack of information received at that time from the Town indicating a time frame for when its public water and sewer systems will be ready to accommodate additional development, including the Winchester proposal. We testified before the Planning Board and suggested that the category change be deferred until the next cycle, rather than denied, since the information being requested would be available in short order and would serve to support a recommendation of approval. The Planning Board agreed and recommended deferral.

After the Planning Board hearing, DEP held a meeting with Winchester, Technical Staff and representatives of the Town of Poolesville to discuss the category change. The outcome of the meeting was that the Town submitted a letter to DEP setting forth the information DEP needed in order to recommend approval. It is our understanding that DEP Staff has revised the recommendation to approval of

the W-3, S-3 category based on the information received from the Town. As DEP correctly pointed out in the initial Staff Report, Winchester's proposed development is consistent with the growth and development staging as contained in the Town's recently adopted Master Plan, 2005. The Master Plan calls for the Town's population to expand from 5,167 to a maximum of 6,500 to accommodate additional residential development. As part of the Town's sewer allocation process that was approved and adopted by the Town Council, Winchester's development is specifically accounted for the above referenced figure and Winchester is first in line to develop in the Town.

As we explained to the Planning Board and DEP (and the Town thereafter confirmed in its revised letter), there are several major factors that have changed since the Town's first letter was sent to DEP that serve to support a recommendation of approval of the category change request. First, the Town has completed the expansion and upgrade of the Poolesville Wastewater Treatment Plant. While there was pending litigation relating to the permit issued by MDE, this litigation has concluded and MDE's determination that the wastewater discharge permit is valid is a final decision. As far as water is concerned, Winchester has taken the position that the existing water supply is adequate to accommodate its development. Even so, Winchester has identified and successfully tested for a new municipal well site on its property. Winchester and the Town will be actively pursuing this well site. The various measures necessary to bring this well on-line are very much underway. Again, the Town addressed these factors at the meeting with DEP and in its most recent letter and it is our understanding that this information satisfied DPS and the Executive.

As a result of the changed circumstances since the published Staff Report and the Planning Board's advisory hearing, we would respectfully request that the Council adopt the revised DEP/County Executive recommendation and approve the category change. We appreciate the opportunity to be heard and will be available to answer any questions that you may have regarding this matter. Thank you for your consideration.